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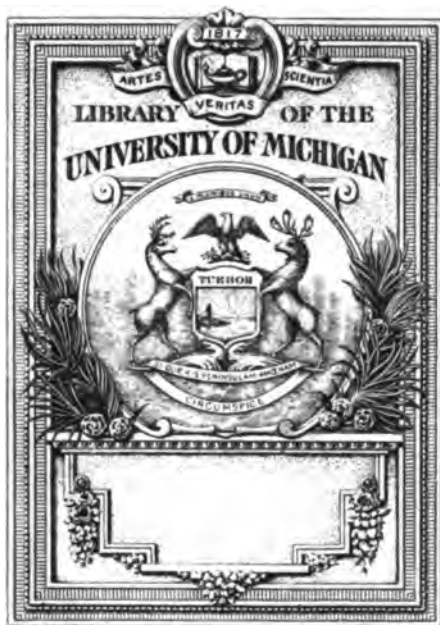
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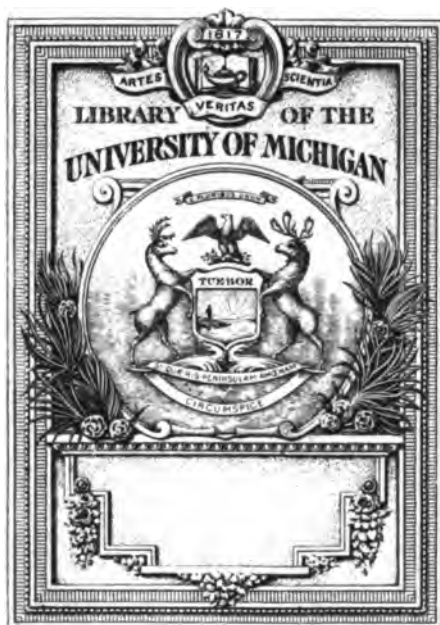
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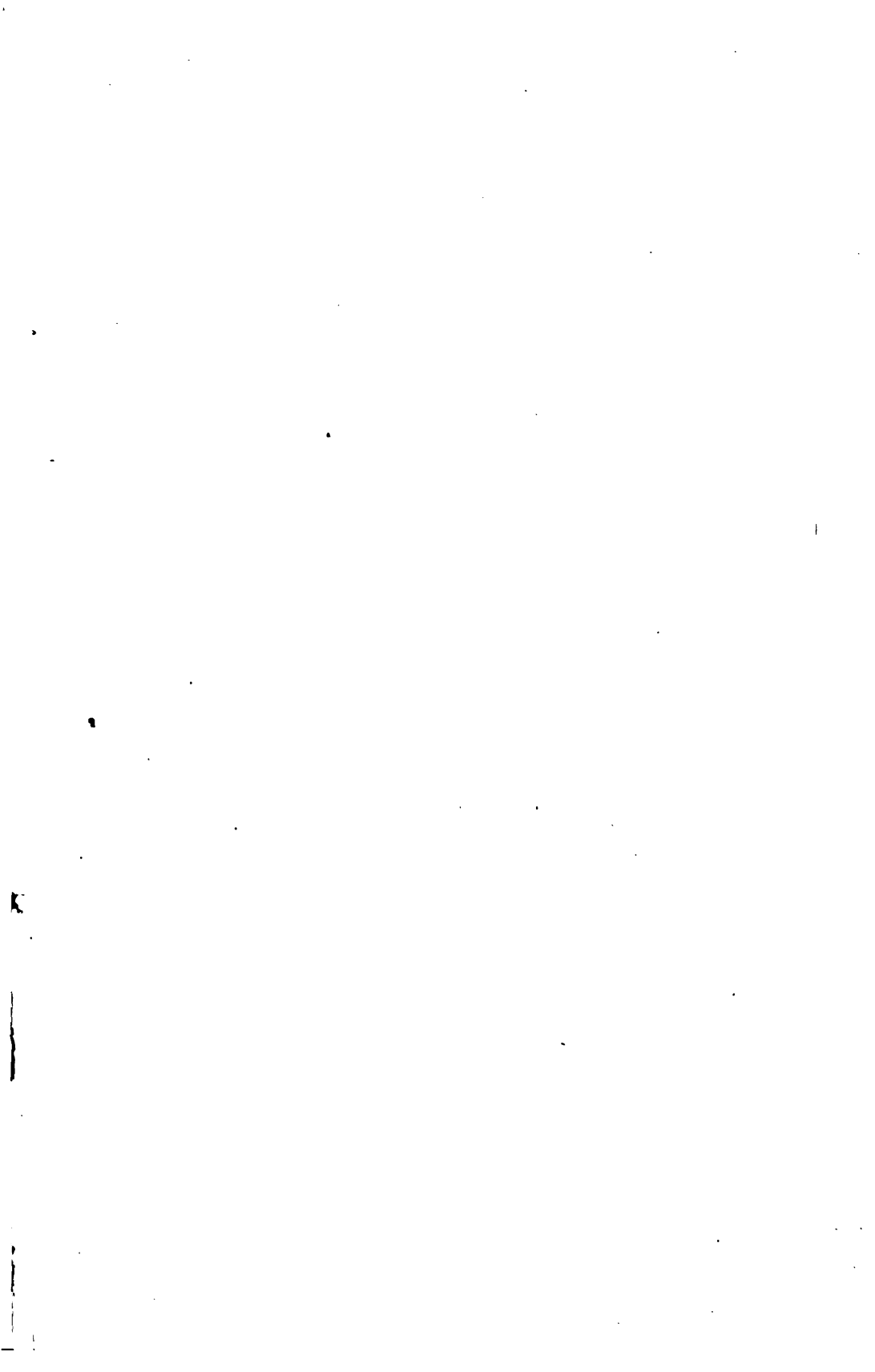
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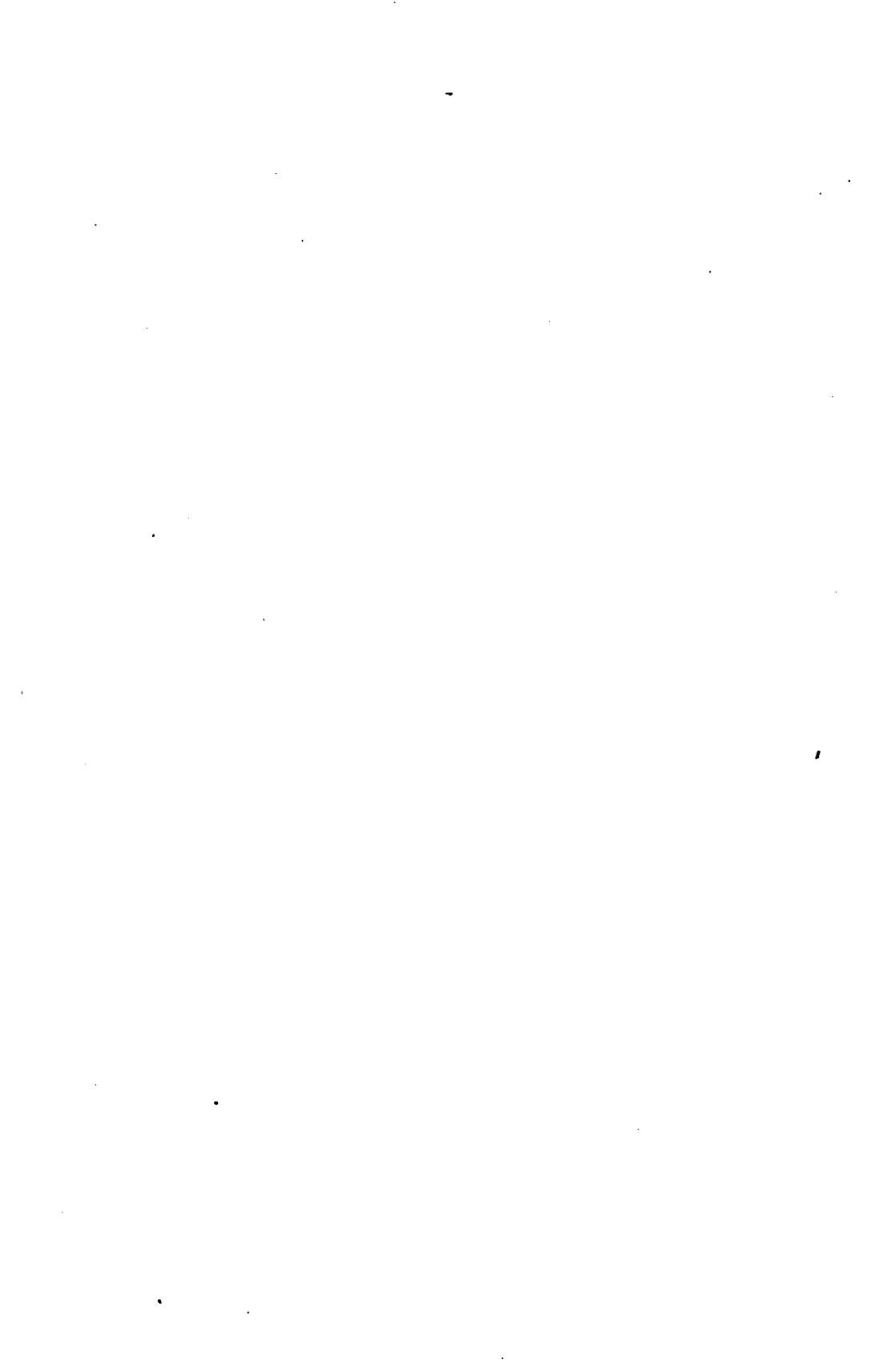




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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MISSOURI,

AT THE

REGULAR SESSION

OF THE

TWENTY-SIXTH GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CITY OF JEFFERSON, ON WEDNESDAY, THE FOURTH
DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND
EIGHT HUNDRED AND SEVENTY-ONE.

JEFFERSON CITY, MO.:
HORACE WILCOX, PUBLIC PRINTER.

1871.

D. 1898

HOUSE JOURNAL.

List of Members Elected to the House of Representatives of the Twenty-sixth General Assembly at the November Election, 1870.

Names.	Counties.
D. S. Hooper.....	Adair.
M. Crockett.....	Andrew.
Richard Buckham.....	Atchison.
Henry Williams.....	Audrain.
William Ray.....	Barry.
John R. Walker.....	Bates.
Michael Girdner.....	Barton.
John H. Bohn.....	Benton.
John H. Dolle.....	Bollinger.
Albert G. Newman.....	Boone, 1st district.
John L. Bass.....	“ 2nd “
John L. Bittinger.....	Buchanan, 1st district.
William Randall.....	“ 2nd “
James T. Adams.....	Butler.
S. F. Martin.....	Caldwell.
Charles W. Samuel.....	Callaway.
Ira H. George.....	Camden.
L. Sanford.....	Cape Girardeau.
James S. Logan.....	Carroll.
F. M. Coleman.....	Carter.
Curtiss Warden.....	Cass.
Reginald F. Buller.....	Cedar.
Peter R. Doleman.....	Chariton.
J. J. C. Breazeale.....	Christian.
J. M. Asher.....	Clark.
Henry Smith.....	Clay.
John F. Wielandy.....	Cole.
Edward W. Turner.....	Clinton.
M. McMillan.....	Cooper, 1st district.
David K. Steel.....	“ 2nd “
John S. Doak.....	Crawford.
Robert A. Clark.....	Dade.
George W. O'Bannan.....	Dallas.
David L. Kost.....	Daviess.
Joshua Dean.....	DeKalb.
Marion Sides.....	Dent.
W. M. Miller.....	Douglas.
Henry A. Applegate.....	Dunklin.
James M. Ming.....	Franklin, 1st district.
Allen P. Richardson.....	“ 2nd “
Benjamin Leach.....	Gasconade.
Phil. M. Adams.....	Gentry.
J. W. Langston.....	Greene, 1st district.
H. G. Mullings.....	“ 2nd “
Geo. H. Hubbell.....	Grundy.
Thomas D. Neal.....	Harrison.
Geo. W. Squires.....	Henry.
Ephraim Dent.....	Hickory.
H. K. S. Robinson.....	Holt.
A. Brown.....	Howard.

LIST OF MEMBERS—CONTINUED.

Names.	Counties.
M. S. Alsup.....	Howell.
Charles Van Roden.....	Iron.
G. W. Gates.....	Jackson, 1st district.
Henry J. Latshaw.....	Jackson, 2nd district.
William F. Cloud.....	Jasper.
John L. Thomas.....	Jefferson.
William F. Rolston.....	Johnson.
Albert G. Dod.....	Knox.
Oscar Von Kochitzky.....	Laclede.
Zachariah J. Mitchell.....	Lafayette, 1st district.
M. Cheney Shewalter.....	" 2d "
Richard S. Wilkes.....	Lawrence.
Jesse W. Barrett.....	Lewis.
Thomas G. Hutt.....	Lincoln.
A. W. Meyers.....	Linn.
Robert S. Moore.....	Livingston.
J. C. Sampson.....	McDonald.
J. E. Goodson.....	Macon.
Samuel C. Collier.....	Madison.
George H. Shields.....	Marion, 1st district.
James McPike.....	" 2d "
Edmund J. Sorrell.....	Maries.
Joseph H. Burrows.....	Mercer.
Wm. A. Bradshaw.....	Miller.
Demarcus A. Edens.....	Mississippi.
John B. Haas.....	Moniteau.
Milton C. Brown.....	Monroe.
Geo. W. Hammett.....	Montgomery.
John W. Williams.....	Morgan.
F. C. Butler.....	New Madrid.
Lyman Beeman.....	Newton.
M. B. W. Harmon.....	Nodaway.
Thomas J. Howell.....	Oregon.
Charles H. Abbot.....	Osage.
Wm. H. Norris.....	Ozark.
John P. Stancil.....	Pemiscot.
Wm. H. Bennett.....	Perry.
Allen O'Bannon.....	Pettis.
C. H. Frost.....	Phelps.
Neal C. Hardin.....	Pike, 1st district.
Samuel F. Murray.....	" 2d "
R. P. O. Wilson.....	Platte, East district.
Wm. H. Ballard.....	" West "
J. D. Abbee.....	Polk.
Daniel E. Davis.....	Pulaski.
Hugh D. Marshall.....	Putnam.
Luzerne Bulkley.....	Ralls.
John G. Burton.....	Randolph.
Fred. Scoville.....	Ray.
J. B. Barnes.....	Reynolds.

LIST OF MEMBERS—CONTINUED.

Names.	Counties.
Pinckney Mabrey.....	Ripley.
A. H. Edwards	St. Charles, 1st district.
Henry Abington	“ 2d “
C. A. Schooley	St. Clair.
Peter W. Murphy	St. Francois.
Antoine F. Beltrami.....	St. Genevieve.
Peter J. Pauly	St. Louis, 1st district.
Andrew Auer	“ 2d “
August Koch	“ 3d “
Wm. S. Pope	“ 4th “
Nicholas M. Bell.....	“ 5th “
Frank P. Blair	“ 6th “
Josiah P. Colcord	“ 7th “
Wm. Bosbyshell.....	“ 8th “
John I. Martin	“ 9th “
N. A. Mortell	“ 10th “
Wm. H. Stone.....	“ 11th “
Chas. Borg	“ 12th “
Wm. L. Hickman.....	“ 13th “
John F. Fassen	“ 14th “
Wm. O. Maupin	Saline.
John Sharp	Schuyler.
Thos. McAllister.....	Scotland.
Edmund Gray.....	Scott.
George F. Ohlton	Shannon.
John W. Shafer	Shelby.
Geo. W. Kitchen.....	Stoddard.
J. M. Moore.....	Stone.
A. C. Eubanks	Sullivan.
S. W. Bunch.....	Taney.
John C. White	Texas.
Sheldon A. Wight.....	Vernon.
Henry Hackman	Warren.
John P. B. Gratiot.....	Washington.
W. T. Leeper.....	Wayne.
Spencer Marlin.....	Webster.
Rowland T. Sloan	Worth.
Joseph P. Raney.....	Wright.

Which was read.

Mr. Pope moved that the Clerk proceed to call the roll, and that the members come forward and be sworn in.

Mr. Neal moved to amend by inserting that gentlemen holding certificates be sworn in.

The amendment was accepted by Mr. Pope, and the motion was agreed to.

The following gentlemen came forward, presented their credentials and were sworn in as members of the 26th General Assembly of

the State of Missouri, by Judge Arnold Krekel, Judge of the United States District Court for the Western District of Missouri :

Messrs. D. S. Hooper.

J. J. Davis.

Richard Buckham,

Henry Williams.

William Ray.

John R. Walker.

Michael Girdner.

John H. Bohn.

John H. Dolle.

Albert G. Newman.

John L. Bass.

John L. Bittinger.

Wm. Randall.

James T. Adams.

S. F. Martin.

Charles W. Samuel.

Ira H. George.

L. Sanford.

James S. Logan.

F. M. Coleman.

Curtiss Worden.

Reginald F. Buller.

Peter R. Dolman.

I. J. C. Breazeale.

J. M. Asher.

Henry Smith.

John F. Wielandy.

Edw. W. Turner.

M. McMillen.

David K. Steele.

John S. Doak.

Robert A. Clark.

G. W. O'Bannon.

David L. Kost.

Joshua Dean.

Marion Sides.

W. M. Miller.

Henry A. Applegate.

Jos. M. Ming.

Allen P. Richardson.

Benjamin Leach.

Phil. M. Adams.

J. W. Langston.

H. G. Mullings.

Geo. H. Hubbell.

Thos. D. Neal.

Geo. W. Squires.

Ephraim Dent.

H. K. S. Robinson.

A. Brown.

M. S. Alsop.

Chas. VanRoden.

G. W. Gates.

Wm. F. Ralston.

Albert G. Dod.

Oscar Von Kochtitzky.

Zachariah J. Mitchell.

M. Cheney Shewalter.

Richard S. Wilkes.

Jesse W. Barrett.

Thomas G. Hutt.

A. W. Meyers.

Robert S. Moore.

J. C. Sampson.

J. E. Goodson.

Samuel G. Collier.

George H. Shields.

James McPike.

Edmund J. Sorrell.

Joseph H. Burrows.

Wm. A. Bradshaw.

Demarcus A. Edens.

John B. Haas.

Milton C. Brown.

George W. Hammett.

John W. Williams.

F. C. Butler.

Lyman Beeman.

W. A. Jones.

Thomas J. Howell.

Chas. H. Abbot.

Wm. H. Norris.

John P. Stancil.

Wm. H. Bennett.

Allen O'Bannon.

C. H. Frost.

Neal C. Hardin.

Samuel F. Murray.

R. P. C. Wilson.

Wm. H. Ballard.

I. D. Abbe.

Daniel E. Davis.

Hugh D. Marshall.

Luzerne Bulkley.

John G. Benton.

Fred. Scoville.

J. B. Barnes.

Pinckney Mabrey.

A. H. Edwards.

Henry Abington.

O. A. Schooley.

Peter W. Murphy.

Antoine F. Beltrami.

Peter I. Pauley.

Andrew Auer.

August Koch.

H. J. Latshaw.
Wm. F. Cloud.
John L. Thomas.
Josiah P. Colcord.
Wm. Bosbyshell.
John I. Martin.
N. A. Mortell.
Wm. H. Stone.
Charles Borg.
Wm. L. Hickman.
John F. Fassen.
Wm. O. Maupin.
John Sharp.
Thomas McAllister.
Edmund Gray.
George F. Chilton.

Wm. S. Pope.
Nicholas M. Bell.
Frank P. Blair.
John W. Shafer.
George W. Kitchen.
J. M. Moore.
A. C. Eubanks.
S. W. Bunch.
John C. White.
Sheldon A. Wight.
Henry Hackman.
John P. B. Gratiot.
Wm. T. Leeper.
Spencer Marlin.
Roland T. Sloan.
Joseph P. Raney.

Mr. Richardson offered the following resolution :

Resolved, That the House now proceed to a temporary organization, by the election of Speaker and Chief Clerk ;

Which was read and adopted.

Mr. Blair nominated the Hon. L. G. Brown, of Howard county, for temporary Speaker.

Mr. Neal nominated the Hon. H. G. Mullings, of Greene county, for temporary Speaker.

Mr. Neal moved that a vote be taken by a call of the roll ;

Which was agreed to.

There being no other nomination, the House proceeded to vote with the following result :

FOR MR. BROWN—Messrs. Adams of Butler, Applegate, Adams of Gentry, Alsop, Abington, Auer, Bass, Butler, Barrett, Brown of Monroe, Buller, Bennett, Ballard, Burton, Barnes, Beltrami, Bell, Blair, Bosbyshell, Bunch, Coleman, Chilton, Dolman, Dean, Davis, Doak, Edens, Edwards, Girdner, George, Gates, Goodson, Gray, Gratiot, Hubbell, Hutt, Haas, Howell, Hardin, Koch, Langston, Latshaw, Leeper, Martin of St. Louis, Mortell, Mitchell, Myers, Ming, Murray, Mabrey, Murphy, Maupin, McPike, Newman, Pauley, Ralston, Richardson, Sloan, Stone, Shafer, Stancil, Sorrels, Shewalter, Smith, Samuels, Turner, Thomas, Von Kochtitzky, Williams of Audrain, Walker, Worden, Wielandy and Wilson—74.

The following gentlemen voted for Mr. Mullings :

Messrs. Asher, Abbot, Abbee, Borg, Burrows, Bradshaw, Buckingham, Bohn, Bittinger, Breazeale, Bulkley, Crockett, Clark, Cloud, Colcord, Doile, Dent, Dodd, Eubanks, Fassen, Frost, Hooper, Hickman, Hackman, Hammett, Harmon, Kost, Leach, Lamson, Logan, Moore of Stone, Martin of Caldwell, Moore of Livingston, McMillan, Miller, Marshall, McAllister, Neal, Norris, O'Bannon of Pettis, O'Bannon of Dallas, Pope, Ray, Randall, Robinson, Raney, Sharp, Schooley, Scovill, Squires, Steele, Shields, Sanford, Van Roden, Wilkes, Williams of Morgan, White and Wight—33.

Excused from voting—Messrs. Mullings and Brown—2.

Mr. Brown having received a majority of all the votes cast was declared elected Speaker *pro. tem.*

Mr. Pauley moved that a committee of three be appointed to wait upon Mr. Brown, inform him of his election and escort him to his seat; Which was agreed to.

The Chair appointed as said committee Messrs. Pauley, Neal and Leeper.

Mr. Brown was then introduced to the House and took the chair.

The Speaker *pro tem.* announced that it was in order to proceed to the election of temporary Clerk.

Mr. Richardson nominated Mr. R. A. Campbell of Pike county.

Mr. Newman nominated Mr. D. A. Sutton of St. Louis county.

Mr. O'Bannon of Pettis nominated Mr. J. West Goodwin of Pettis county.

Mr. Bittinger nominated Mr. J. O. S. Colby of Greene county.

Mr. Richardson withdrew the name of Mr. Campbell.

Mr. O'Bannon withdrew the name of Mr. Goodwin.

Mr. Newman withdrew the name of Mr. Sutton.

On motion of Mr. Neal,

Mr. Colby was declared unanimously elected as temporary Chief Clerk.

On motion of Mr. Bosbyshell,

The House adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 5, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Temporary Speaker Brown of Howard in the chair.

The journal of yesterday was read and approved.

On motion of Mr. Adams of Butler,

Mr. Kitchen of Stoddard county and Mr. Mortell of St. Louis county came forward and were sworn in as members of the 26th General Assembly of the State of Missouri by Hon. Andrew Auer, notary public.

Mr. Marshall of Putnam offered the following resolution:

Resolved, That the rules and orders of the 25th General Assembly be adopted for the present as the rules and orders of this House, and that the Clerk furnish each member with a copy of the same;

Which was read and adopted.

Mr. Richardson offered the following resolution :

Resolved, That this House now proceed to the election of permanent officers ;

Which was read and adopted.

Mr. Bosbyshell offered the following resolution :

Resolved, That the Speaker appoint two tellers to tally the vote for the election of the various officers for permanent organization ;

Which was read and adopted.

The Speaker appointed Messrs. Neal and Bell, tellers.

Mr. Blair nominated the Hon. R. P. C. Wilson of Platte county for permanent Speaker.

Mr. Pope nominated the Hon. H. G. Mullings of Greene county for permanent Speaker.

There being no further nominations for Speaker, the House proceeded to vote with the following result :

Whole number of votes cast.....	134
Necessary to a choice.....	68

FOR MR. WILSON—Messrs. Abington, Abbott, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Blair, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Williams of Morgan—83.

FOR MR. MULLINGS—Messrs. Abbee, Alsup, Asher, Auer, Beeman, Bittinger, Bohn, Bradshaw, Breazeale, Bulkley, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Dolman, Fassen, George, Hackman, Harmon, Hickman, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Marlin, Marshall, Martin of Caldwell, McAllister, McMillan, Miller Moore of Stone, Neal, Norris, O'Bannon of Dallas, Pope, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Steele, Wilkes and Worden—31.

Absent—Messrs. Burton and Ray—2.

Excused—Messrs. Mullings and Wilson—2.

The temporary Speaker declared that Mr. Wilson, having received a majority of all the votes cast, was elected Speaker of the House of Representatives of 26th General Assembly of the State of Missouri.

Mr. Buller moved that a committee of three be appointed by the Chair to wait upon Mr. Wilson and inform him of his election.

The temporary Speaker appointed as said committee, Messrs. Buller, Wielandy and Mullings.

Mr. Wilson was then introduced to the House by the committee appointed to wait upon him;

And upon taking the Chair, delivered the following address :

Gentlemen of the House of Representatives of the Twenty-sixth General Assembly :

The very flattering call you have made upon me to occupy the position of Speaker of this House, has filled me with emotion, and I use no mere phrase or set form of speech when I say to you that I find it difficult to express my feelings and emotions, called up in my bosom by this manifestation of your confidence in me. Base indeed would be the man who, having received such an endorsement as that of which I have been the recipient from members of all parties in this House, if he were to depart from the strict line of integrity while he held the position to which I have been called. I have this to say to the members of the House of Representatives, I presume, and I know, that this will be a memorable session in the history of the State of Missouri, and in everything I will be found impartial; I will be found a true representative of that sentiment in this State which is next to its heart—only the good of the commonwealth in which we live. No man shall dare say in the future that I have prostituted the office to which you have elected me, for base or unworthy purposes. I thank my God, gentlemen of the House of Representatives, that I and those like me are made of different materials. I thank my God, gentlemen of the House of Representatives, that there are times in the history of States and countries, when men and parties rise above the mere truckling politician, and at this age, and at this crisis in the history of the government under which we live, and which we all love so well. I trust that we will all act for a common purpose and in harmony, and we will speed our magnificent State gallantly to the front, and that the time is not far distant when by our aid, she will occupy the position which God Almighty intended her to occupy—the Queen of the Mississippi Valley.

Gentlemen of the House of Representatives, I beseech your kind indulgence, and ask from every member of this House his aid and his hearty co-operation, to lighten the burthens that will rest upon me as Speaker. You are here to represent the interest of the State, and not for mere party purposes, and I hope that in my efforts to facilitate the business of the House, I shall receive the co-operation of every gentleman who answers to his name at roll-call; and that at the end of the session we shall go to our constituencies saying that as people of the State of Missouri, and not as politicians, we worked together for the good of the State.

Gentlemen of the House of Representatives, I await your orders.

The Speaker having declared the election of Speaker *pro tem* in order,

Mr. Blair nominated the Hon. C. H. Frost, of Phelps county.

Mr. Shafer nominated the Hon. G. H. Shields, of Marion county.

There being no other nominations the House proceeded to vote with the following result:

Whole number of votes cast.....	136
Necessary to a choice.....	69

FOR MR. FROST—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Beeman, Bennett, Blair, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham; Buller, Bunch, Burton, Butler, Chilton, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolman, Edens, Edwards, Eubanks, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Harmon, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Meyers, Newman, O'Bannon of Pettis, Pauley, Raney, Randall, Ray, Richardson, Samuel, Sanford, Schooley, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, and Worden—94.

FOR MR. SHIELDS—Messrs. Abbee, Abbott, Asher, Bittinger, Breazeale, Bulkley, Burrows, Clark, Cloud, Dent, Dod, Dolle, Fassen, Frost, George, Hackman, Hickman, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McAlister, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Robinson, Rolston, Scoville, Shafer, Sharp, Steele and Wilkes—41.

Excused—Mr. Speaker—1.

Absent—Messrs. Bohn and Colcord—2.

Mr. Frost having received a majority of all the votes cast was declared elected Speaker *pro tem*.

The Speaker having declared the election of Chief Clerk to be in order,

Mr. Blair nominated Mr. D. A. Sutton, of St. Louis county.

Mr. Bittinger nominated Mr. J. C. S. Colby, of Greene county.

There being no other nominations, the House proceeded to vote with the following result:

Whole number of votes cast.....	135
Necessary to a choice.....	68

FOR MR. SUTTON—Messrs. Abington, Abbott, Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Beeman, Bennett, Blair, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Benton, Butler, Chilton, Coleman, Collier, Davis, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Raney, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—87.

FOR MR. COLBY—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Bittinger, Breazeale, Buckham, Buckley, Burrows, Clark, Cloud, Crockett, Dean, Dent, Dod, Dolle, Dolman, Fassen, George, Hackman, Harmon, Hickman, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Logan, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Randall, Robinson, Scoville, Sharp, Shields, Steele, Wilkes and Worden—48.

Absent—Messrs. Bohn, Bunch and Colcord—3.

Mr. Sutton, having received a majority of all the votes cast was declared elected Chief Clerk, and was sworn into office by the Speaker.

The election of Assistant Clerk having been declared in order by the Speaker,

Mr. Pope nominated Mr. B. H. Wilson of Saline county.

Mr. Blair nominated Mr. W. R. Hardin of Pike county.

There being no other nomination the House proceeded to vote with the following result:

Whole number of votes cast.....	136
Necessary to a choice.....	69

FOR MR. W. R. HARDIN—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bee-man, Bennett, Blair, Bosbyshell, Brown of Howard, Brown of Monroe, Bunch, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Hammett, Hardin, Hickman, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Raney, Ray, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Thomas, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—81.

FOR MR. WILSON—Messrs. Abbee, Abbott, Alsup, Asher, Auer, Bittinger, Borg, Bradshaw, Breazeale, Buckham, Bulkley, Buller, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Dolman, Fassen, George, Haas, Hackman, Harmon, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Logan, Marlin, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Randall, Robinson, Ralston, Schooley, Scoville, Shafer, Sharp, Shields, Steele, Squires, Van Roden and Wilkes—56.

Mr. Hardin having received a majority of all the votes cast was declared elected Assistant Clerk, and was sworn into office by the Speaker.

The election of Engrossing Clerk having been declared in order by the Speaker

Mr. Blair nominated Mr. W. C. Matthews of Morgan county.

Mr. Pope nominated Mr. F. C. Morgan of St. Louis county.

There being no other nominations the House proceeded to vote with the following result:

Whole number of votes cast	137
Necessary to a choice.....	69

FOR MR. MATTHEWS—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Beeman, Bennett, Blair, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Coleman, Collier, Davis, Doak, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Meyers, Newman, O'Bannon of Pettis, Pauley, Raney, Ray, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—84.

FOR MR. MORGAN—Messrs. Abbee, Abbott, Alsup, Asher, Auer, Bittinger, Boone, Bradshaw, Breazeale, Buckham, Buller, Burrows, Clark, Cloud, Colcord, Crockett Dean, Dent, Dod, Dolle, Dolman Fassen, Hackman, Harmon, Hickman, Cooper, Kitchen, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannan of Dallas, Pope, Randall, Robinson, Ralston, Schooley, Shafer, Sharp, Shields, Steel, Wilkes, Worden—51.

Absent—Messrs. Edens and Scoville.

Mr. Matthews, having received a majority of all the votes cast, was declared elected, and was sworn into office by the Speaker.

The Speaker having declared the election of Enrolling Clerk to be in order,

Mr. Pope nominated Mr. W. McGinnis of Linn county.

Mr. Blair nominated Mr. W. C. B. Gillespie, of Macon county.

There being no other nominations, the House proceeded to vote with the following result:

Whole number of votes cast.....	137
Necessary to a choice.....	69

FOR MR. GILLESPIE—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Beeman, Bennett, Blair, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Bunch, Burrows, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Gates, George, Girdner, Goodson, Gratiot, Gray, Hammett, Hardin, Howell, Hubbell, Hutt, Koch, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Raney, Ray, Richardson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—87.

FOR MR. MCGINNIS—Messrs. Abbee, Abbot, Alsup, Asher, Bittinger, Bohn, Breazeale, Buckham, Bulkley, Clark, Cloud, Colcord, Crockett, Dent, Dodd, Dolle, Dollman, Fassen, Haas, Hackman, Harmon, Hickman, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Logan, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Randall, Robinson, Rolston, Shields, Steele, Wilkes and Worden—46.

Absent—Messrs. Auer, Buller, Frost and Stancil—4.

Mr. Gillespie having received a majority of all the votes cast was declared elected, and sworn into office by the Speaker.

On motion of Mr. Brown,
The House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Richardson offered the following resolution:

Resolved, That the Secretary of State be and is hereby requested to furnish each member of this House with the necessary stationery and other writing material, and one copy of the Wagner Statutes and the laws and journals of the last House of Representatives;

Which was read and afterwards withdrawn.

Mr. Neal offered the following substitute:

Resolved, That the Secretary of State be requested to furnish each member of the House with a copy of the General Statutes of 1865, and the laws of each session since the revision, and the House journal of 1870.

Which was read and agreed to.

The Speaker having declared the election of Doorkeeper in order,

Mr. Blair nominated Mr. G. G. Bartley, of Callaway county.

There being no other nomination, Mr. Pope moved that the election of Mr. Bartley be made unanimous;

Which was agreed to.

Mr. Bartley having received all the votes cast, was declared duly elected Doorkeeper, and was sworn into office by the Speaker.

The Speaker having declared the election of Sergeant-at-Arms to be in order,

Mr. Pope nominated Mr. Joseph Burger, of Warren county.

Mr. Blair nominated Mr. John B. Crafton, of Jackson county.

There being no other nominations, the House proceeded to vote with the following result :

Whole number of votes cast.....	132
Necessary to a choice.....	67 .

FOR MR. CRAFTON—Messrs. Abington, Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Blair, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Hammett, Hardin, Howell, Hutt, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Mortell, Murphy, Murray, Meyers, Newman, Ray, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—72.

FOR MR. BURGER—Messrs. Abbee, Abbott, Adams of Gentry, Alsup, Asher, Auer, Bittinger, Bohn, Borg, Bradshaw, Breazeale, Buckingham, Bulkley, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dodd, Dolle, Eubanks, Fassen, George, Haas, Hackman, Harmon, Hickman, Hooper, Hubbell, Kitchen, Koch, Kost, Lamson, Langston, Leach, Marlin, Marshall, Martin of Caldwell, McAllister, McMillan, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Raney, Randall, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Steele, Wilkes and Worden—60.

Absent—Messrs. Bunch, Dolman, O'Bannon of Pettis and Mr. Stone—4.

The following message from the Senate was communicated by Mr. Blodgett, as chairman of a Senate committee :

MR. SPEAKER : Your committee appointed on behalf of the Senate, are instructed to inform the House of Representatives that the Senate is now permanently organized and ready for the transaction of business.

W. H. BLODGETT,
THOS. B. REED,
LOUIS GOTTSCHALK.

Which was read.

Mr. Wielandy offered the following resolution :

Resolved, That Joseph Burger be appointed night watchman of the House of Representatives during the present session of the General Assembly, and receive as a compensation five dollars per day.

The Speaker decided the resolution out of order.

Mr. Kost offered the following resolution :

Resolved, That, as the office and services of a Chaplain of the House are not recognized by our State Constitution, but only binding upon us as a moral duty, this House therefore defers the election of such officer until Thursday, the 26th day of January, 1871, and that in the meantime we invite the ministers resident in this city, and all

others who may so desire, to come and officiate for us in their sacred calling, alternately.

Which was read and adopted.

Mr. Colcord offered the following resolution :

Resolved, That this House recommend to the Chief Clerk the appointment of Joseph Burger as a messenger of the House of Representatives, and that he be allowed the sum of five dollars per day for his services ;

Which was read and adopted.

Mr. Stone offered the following resolution :

Resolved, That the Senate be notified by the Clerk that this House has organized by electing

R. P. C. Wilson, Speaker,
Cyrus H. Frost, Speaker *pro tem.*,
David A. Sutton, Chief Clerk,
W. R. Hardin, Assistant Clerk,
W. A. Matthews, Engrossing Clerk,
W. C. B. Gillespie, Enrolling Clerk,
J. B. Crafton, Sergeant-at-Arms,
Geo. E. Bartley, Doorkeeper,

And is now ready to proceed with legislative business ;

Which was read and adopted.

Mr. Richardson offered the following resolution :

Resolved, That Mr. T. D. Rapp be and is hereby elected official reporter of the House for the 26th General Assembly, at the same compensation received by a member of the House ;

Which was read and adopted.

Mr. Bosbyshell offered the following resolution :

Resolved, That the Chief Clerk is authorized and directed to appoint the usual number of subordinate clerks, pages, folders, messengers and a Postmaster ;

Which was read and adopted.

Mr. Thomas offered the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring therein, That the two Houses of this General Assembly will go into joint session on Friday, January 6, 1871, at 11 o'clock, A. M., of that day to witness the President of the Senate and Speaker of the House examine the returns of the election held for Governor and Lieutenant Governor on the 8th day of November, 1870, and declare who are elected to these offices ;

Which was read and adopted.

Mr. Wielandy offered the following resolution :

Resolved, That some suitable person be selected by the Chief Clerk to furnish the House three daily papers for each member, which shall not cost to exceed five cents per copy ;

Which was read, and,

Upon motion of Mr. Bell,

Laid on the table.

Mr. Gates gave notice that he would, on to-morrow or some subsequent day, offer a resolution amending the rules of the House.

Mr. Wielandy offered the following resolution :

Resolved, That Tennessee Mathews is hereby appointed assistant reporter, and receive such compensation as the House shall agree upon ;

Which was read and not adopted.

Mr. Pope introduced the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring therein : That a committee of three of the members of this House be appointed to act in connection with a committee of two to be appointed by the Senate, who shall wait upon the Governor and inform him that the Senate and House are now fully organized and will be ready at ten o'clock on Friday, the 6th inst., to receive any communication which he may deem proper to make to these bodies ;

Which was agreed to.

The House then adjourned until to-morrow morning at 10 o'clock.

FRIDAY, JANUARY 6, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Pugh, of Cole county.

The journal of yesterday was being read, when

Mr. Barrett moved that the further reading of the journal be dispensed with ;

Which was agreed to.

The Speaker laid before the House the following communication of D. A. Sutton, Chief Clerk :

MR. SPEAKER : In accordance with the resolution adopted by the House on yesterday, I have the honor to submit the following appointments :

Minute Clerk, John T. Pratt.

Journal Clerk, Fred. L. Wensel.

Assistant Journal Clerk, A. M. Hough.

Docket Clerk, Henry Flanagan.

Assistant Docket Clerk, Luther Collier.

Resolution and Copy Clerk, Frank C. Robinson.

Assistant Resolution and Copy Clerks, F. S. Mintie and Samuel Somerby.

Folders, M. Julian and M. L. Christy.

Messengers, Julius Wuger and Joseph Burger.

Postmaster, W. J. Wainright.

Pages, Lester Crawford, Ray Farmer, Wilbur F. Parker, Eddie O'Rear, Richard Standish, Willie Meyers, Master Gray and Thomas Roche.

D. A. SUTTON, *Chief Clerk*.

Which was read and agreed to.

Mr. Maupin offered the following resolution:

Resolved, That the Secretary of State furnish each member of the House with a copy of the journals of the Regular Session of the 25th General Assembly;

Which was read.

The following message from the Senate, by the Secretary, Mr. Hendrick, was received:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House concurrent resolution No. 1,

And passed the same with the inclosed amendment;

In which the concurrence of the House is respectfully requested;

Which was read.

The following message from his excellency, Governor J. W. McClurg, by his private secretary, Mr. C. C. Draper, was received.

(See Appendix.)

Which was read.

Mr. Bulkley moved a postponement of its further consideration until 10 o'clock Wednesday, January 11, 1871;

Which was agreed to.

The House resumed the consideration of the resolution offered by Mr. Martin of Caldwell.

Mr. Neal offered the following amendment:

"If he has them on hand;"

Which was agreed to, and, upon motion,

The resolution, as amended, was adopted.

Mr. Mullings moved to take up

House concurrent resolution No. 1;

Which was taken up.

The following amendment was offered by the Senate:

Amend by striking out "Friday, January 6, 1871," and inserting the following: "Monday, January 9, 1871;"

Which was taken up and concurred in.

Mr. Neal offered the following resolution:

Resolved, That the Chief Clerk of the House be instructed to procure from the publisher of Wagner's Statutes a sufficient number of said Statutes to supply all the members of this House, the same to be paid for out of the Contingent Fund of the House, at a cost not

to exceed that which was paid per copy for those purchased by the 25th General Assembly;

Which was read and adopted.

The Speaker laid before the House the following message from Hon. Eugene F. Weigel, Secretary of State:

STATE OF MISSOURI, OFFICE OF SECRETARY OF STATE, }
CITY OF JEFFERSON, January 8th, 1871. }

To the Honorable the Speaker of the House of Representatives:

SIR: In compliance with a House resolution of yesterday the following books were furnished by me to the members of the House, to wit:

150	copies of the General Statutes of 1865.
73	" " Session Acts of 1865-6.
27	" " " " 1867.
43	" " " " 1868.
150	" " " " 1869.
150	" " " " 1870.
150	" " House Journals of 1870, and
150	" " " Appendix of 1870.

This completely exhausts the supply of session acts of the years 1865, 1866, 1867 and 1868 which was on hand in this office, and in view of this fact I would call the attention of the General Assembly to the necessity of ordering a further supply of Wagner Statutes, which contain all the amendments to the General Statutes up to date, as the number ordered to be purchased by the last General Assembly was entirely inadequate to supply the officers entitled thereto in the several counties.

I have the honor to be,

Very respectfully,

EUGENE F. WEIGEL,

Secretary of State.

Which was read.

Mr. Blair offered the following resolution:

Resolved, That J. C. S. Colby, late Chief Clerk of the 25th General Assembly, be allowed ten dollars per day and mileage for ten days services in organizing the House of Representatives, and that the Committee on Accounts are instructed to audit the same;

Which was read and adopted.

Mr. Dean offered the following resolution:

Resolved, That the Doorkeeper of the House be instructed to open an account with the postmaster in Jefferson City during the present session of the General Assembly for postage required to be paid on public documents deposited by members of the House in the mail during the session, and one hundred three cent stamps for the members of the House, and that the account of the postmaster be audited by the Committee on Accounts and be paid out of the fund for the contingent expenses of the House;

Which was read.

Mr. Brown of Howard offered the following substitute:

Resolved, That the Doorkeeper furnish to each member and officer of this House one hundred three cent and two hundred two cent

postage stamps, and that the amount required be paid out of the contingent fund of the House;

Which was read and adopted.

The Speaker laid before the House the following communications from his Excellency the Governor:

To the Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the first annual report of the State Geologist and an account of the expenditures connected with the Mining Bureau, as required by the 11th section of the act approved March 24th, 1870.

Respectfully,

J. W. McCLURG.

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, January 6th, 1871. }

To the Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the report of the Adjutant General, Acting Quartermaster General, Acting Paymaster General and Acting State Claim Agent for the year 1870.

Respectfully,

J. W. McCLURG.

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, January 6th, 1871. }

To the Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the report of the Fund Commissioners for the year 1870.

Respectfully,

J. W. McCLURG.

Mr. Latshaw offered the following resolution:

Be it resolved by the House of Representatives the Senate concurring therein, That a joint committee of three on the part of the Senate and six on the part of the House, be appointed to prepare a bill to apportion the population of the State into Senatorial and Representative districts on the basis of the U. S. census of 1870, and report the same at the earliest practicable day;

Which was read, and upon motion was laid on the table.

Mr. Samuel offered the following resolution:

Resolved, That the Engrossing Clerk be and is hereby authorized to appoint such assistant clerks as are necessary to the discharge of his official duties;

Which was read.

Mr. Richardson offered the following amendment:

And that said number of clerks shall not exceed four;

Which was read.

Mr. Pope offered the following substitute:

Resolved, That when the Engrossing Clerk and other chief officers of this House shall have ascertained what number of assistants they may severally need in order to the efficient discharge of their several duties, they shall report to this House the number needed, and ask leave to appoint them.

On motion of Mr. Marshall,
The House adjourned until 2 o'clock p. m.

AFTERNOON SESSION

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of the substitute offered by Mr. Pope, when
On motion of Mr. Frost, it was postponed until Friday, January 20, 1871.

Mr. Bulkley moved to reconsider the motion by which the consideration of the Governor's message was postponed until Wednesday, January 11, 1871;
Which was agreed to.

Mr. Shields offered the following resolution :

Resolved, That ten thousand copies of the Governor's message be printed, seven thousand five hundred copies to be in the English language, and two thousand five hundred copies to be in the German language—one thousand of which shall be for the use of the Governor and the remainder shall be for the use of the House ;

Which was read and adopted.

Mr. Murray offered the following resolution :

Resolved, That five thousand copies of the Governor's message be published, three thousand in English and two thousand in German—one thousand for the use of the Governor and four thousand for the use of the House ;

Which was read and not agreed to.

Mr. Newman offered the following resolution :

Resolved, That the House reconsider the resolution laid on the table yesterday, providing that three daily papers be furnished each member ;

Which was read and adopted.

Mr. Buller offered the following amendment :

Amend by inserting one instead of three daily papers.

Mr. Leeper offered the following substitute :

Resolved, That the Doorkeeper be authorized to furnish two daily and two weekly papers to each member of this House during this session.

Mr. Mullings offered the following amendment :

Strike out the word "one" and insert "two ;"
Which was agreed to.

Mr. Shields offered the following amendment :

Amend by striking out all after the word "resolved" and insert "that the Doorkeeper of the House be required to furnish to each member three daily papers, or one weekly paper and two daily papers, to be selected by the members, not to exceed in cost five cents each, to be paid for out of the contingent fund of the House ;

Which was accepted, and the resolution as amended was adopted.

The following message from the Senate was received through its Secretary, Mr. Hendricks:

MR. SPEAKER : I am instructed by the Senate to inform the House that

House concurrent resolution No. 2,

Has been taken up in the Senate and passed that body.

On motion of Mr. Mullings, the House adjourned until 10 o'clock Monday morning.

WEDNESDAY, JANUARY 9, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The journal was being read, when

Mr. Walker moved that the further reading of the journal be dispensed with ;

Which was read and agreed to.

Mr. Newman introduced a concurrent resolution entitled

House concurrent No. 3, in regard to the celebration of the 8th day of January ;

Which was read the first time the rules suspended, read the second time and the rules further suspended, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Abbott, Adams from Butler, Adams from Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Blair, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Buckham, Bulk-

ley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrels, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wright of Vernon, Wilkes, Williams from Audrain, Williams from Morgan, Worden, and Mr. Speaker—129.

Absent—Messrs. Bass, Borg, Gratiot, Martin of Caldwell, Murphy, Rolston, and Mr. White of Texas—8.

Mr. Blair offered the following resolution :

Resolved, That the Speaker be authorized to appoint an additional page;

Which was read and adopted.

Mr. Edwards offered the following resolution :

Resolved, That the Chief Clerk be requested to furnish the Speaker of the House, as soon as practicable, with a list of all the members of the 26th General Assembly, with the profession, or occupation, age and county of each member, with a view of facilitating the task of appointing the various committees;

Which was read.

Mr. Walker offered the following amendment :

"Also place of boarding and residence;"

Which was accepted.

The resolution, as amended, was then adopted.

Mr. Auer offered the following resolution :

Resolved, That Wm. H. Cornell, (late clerk to the Committee on Accounts in the 25th General Assembly), be allowed mileage and per diem for ten days' for attendance upon the 26th General Assembly, for the purpose of turning over the books and papers in his possession pertaining to the pay department of the House of Representatives, the same to be paid out of the Contingent Fund of the House of Representatives;

Which was read.

Mr. Stone moved to postpone the resolution until 11 o'clock, Wednesday morning;

Which was agreed to.

The Speaker laid before the House the following communication of the Doorkeeper, Mr. Bartley:

MR. SPEAKER: In accordance with the resolution passed by the House on Monday, January 2d, 1871, I have appointed John J. Delahay as News Agent of the House.

GEO. G. BARTLEY, *Doorkeeper*.

Which was read.

The following communication from the Governor, J. W. McClurg, was received:

To the Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the Seventh Biennial Report of the Trustees and Superintendent of the Missouri Institution for the Education of the Blind.

Respectfully,

J. W. McCLURG.

(See Appendix.)

Mr. Mitchell introduced a bill entitled

An act to authorize writs of errors and appeals to the Supreme Court;

Which was read the first time, the rule suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, when appointed.

Mr. Neal offered the following resolution:

Resolved, That the Chief Clerk now inform the Senate that we are ready to meet with that body in joint session in this Hall, for the purpose of witnessing the counting of the votes for Governor and Lieutenant Governor, and the Senate is respectfully invited to attend;

Which was read and adopted.

The Speaker announced the following Committee on Elections:

Messrs. Walker, Sloan, Williams of Morgan, Logan, Bennett, Turner and Kost.

The hour for joint session having arrived,

The Senate, preceded by its officers, entered the Hall of the House of Representatives, and took the seats assigned them.

The joint session was called to order by the President of the Senate, Lieutenant Governor E. O. Stanard, who announced the object of the joint session to be to examine the returns of the last election for Governor and Lieutenant Governor, held in November last, in the State of Missouri, and declare the result.

The President laid before the joint session the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE,
City of Jefferson, January 4, 1871.

To the Honorable, the President of the Joint Session of the 26th General Assembly:

SIR: In compliance with section thirty-six of chapter fifty-one of the Wagner Statutes, I have the honor herewith to lay before your honorable body a complete "abstract of the votes given for the offices of Governor and Lieutenant Governor of the State of Missouri, at the general election, held on the 8th day of November, A. D. 1870.

I have the honor to be, very respectfully,

EUGENE F. WEIGEL,

Secretary of State.

Which was read.

Senator Reed offered the following resolution :

Resolved, That the abstract returns by the Secretary of State be read for the information of the joint session ;
Which was read and adopted.

The President of the Senate and Speaker of the House proceeded to examine the abstract of votes as reported by the Secretary of State, and the President of the Senate announced the following as the result of the election for Governor and Lieutenant Governor :

For Hon. B. Gratz Brown,.....	104,374
For Hon. J. W. McClurg,.....	63,335

Hon. B. Gratz Brown was therefore declared duly elected Governor of the State of Missouri for the ensuing two years.

The vote cast at the same election for the office of Lieutenant Governor was declared to be as follows :

Hon. J. J. Gravelly,.....	103,714.
Hon. Andrew J. Harlan,.....	62,196.

Hon J. J. Gravelly was therefore declared duly electd Lieutenant Governor of Missouri for the ensuing two years.

Mr. Blair moved that a committee of five, two on the part of the Senate and three on the part of the House be appointed by the President to wait on the Governor and Lieutenant Governor, elect, and inform them of their election.

The President appointed Senators Rogers and Rollins on said committee on the part of the Senate, and Representatives Blair, Bittinger and Cloud on the part of the House.

Senator Roseberry moved a recess until 2 o'clock, P. M.
Which was not agreed to.

The committee appointed to wait upon the Governor and Lieutenant Governor elect and inform them of their election, were announced by the Doorkeeper.

Governor elect, B. Gratz Brown, appeared in the Hall of the House, and in the presence of the Joint Session, the oath of office was duly administered to him, by the Chief Justice of the Supreme Court of Missouri, Judge David Wagner.

The Governor then proceeded to deliver the following inaugural address :

(See Appendix.)

The President of the Senate announced that the business for which the joint session had met, having been completed the joint session was now dissolved.

The Speaker laid before the House the papers on the contested election case of William J. Knott, contestor, against O. H. Abbott, contestee, of Osage county.

The Speaker laid before the House the papers in the contested election case of J. B. Colgrove, contestor, against Jno. H. Bohn, contestee, of Benton county.

The Speaker laid before the House the papers in the contested election case of Samuel Wear, contestant, against D. K. Steele, contestee, of Cooper county.

Which were, on motion,
Referred to the Committee on Elections.

The following message from the Senate, through Mr. Hendrick, its Secretary, was received:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up
House concurrent resolution, No. 3, entitled,
House concurrent resolution in regard to the celebration of the
8th day of January, 1871,
And passed the same;
Which was read.

Mr. Richardson offered the following resolution:

Resolved, That all papers referring to the contested cases of members claiming seats in the House be referred to the Committee on Elections, with instructions to report at as early a day as possible;
Which was read and adopted.

Mr. Martin, of St. Louis, offered the following resolution:

Resolved, That we the Representatives highly appreciate the generous and impartial sentiments expressed by the Governor in his inaugural address;

Which was read and adopted.

On motion of Mr. Mullings,

The House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JANUARY, 10, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Pugh.

The journal of yesterday was being read, when

Mr. Eubanks moved that the further reading of the journal be dispensed with ;

Which was agreed to.

A call of the House being demanded by Mr. Gates, the following members answered to their names :

AYES—Messrs. Abbee, Abington, Abbot, Adams from Butler, Adams from Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Blair, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Buckham, Buckley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gratiot, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Meyers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams from Audrain, Williams from Morgan, Worden and Mr. Speaker—187.

Sick—Mr. Beeman—1.

The Speaker laid before the House the following communication from the Enrolling Clerk, Mr. Gillespie :

To the Honorable the Speaker of the House of Representatives :

DEAR SIR—I am informed that the office usually occupied by the Enrolling Clerk and his assistants, is now in the possession of one of the Judges of the Supreme Court as a sleeping apartment for himself ; and ask such action (if any is required) by the House of Representative as will put us in possession of the same ;

Which was read.

Mr. Meyers offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby required to obtain possession of the room usually occupied by the Enrolling Clerk, and put him in possession of the same or some other suitable room for his purpose, above the basement, without delay ;

Which was read.

Mr. Bosbyshell offered the following amendment :

Amend by adding "Doorkeeper and Engrossing Clerk ;"

Which was accepted.

The resolution as amended was then adopted.

Mr. Neal offered the following resolution :

Resolved, That the Commissioner of Permanent Seat of Government be requested to obtain for the Engrossing and Enrolling Clerks

and the Doorkeeper the rooms to which they are entitled, or other suitable rooms for their offices ;

Which was read and adopted.

Mr. Wilkes announced the death of the Hon. Lyman Beeman, member from Newton county.

The Speaker announced the follow Standing Committees of the House :

STANDING COMMITTEES OF THE HOUSE OF THE TWENTY-SIXTH GENERAL ASSEMBLY.

Committee on the Judiciary: Thomas, Sanford, Smith, Mortell, Mitchell, Moore of Livingston, Shields, Hardin and Buller.

Committee on Ways and Means: Latshaw, Stone, Brown of Howard, Buckham, Williams of Audrain, Scoville, Adams of Butler, Mullings, and Wight of Vernon.

Committee on Internal Improvements: Stone, Bitteringer, Bell, Richardson, Mullings, Hutt, Maupin, McMillan, Myers, Gates, Brown of Monroe and Hardin.

Committee on Federal Relations: Blair, Maupin, Asher, Haas, Hubbell, White of Texas, and Gratiot.

Committee on Education: Mullings, Pope, Newman, Smith, Doak, Barrett and Leeper.

Committee on Militia: Von Kochtitzky, Moore of Stone, Dolman, Ray, Edens, Hammett and O'Bannon of Dallas.

Committee on Criminal Jurisprudence: Murray, Colcord, Bennett, Edwards, Wight of Vernon, Auer and Eubanks.

Committee on Justice of the Peace: Abington, Collier, Turner, Ballard, Alsup, Dolle and Kitchen.

Committee on Banks and Corporations: Mitchell, Squires, Van Roden, Mortell, Borg, Neal and Buckley.

Committee on Library: Messrs. O'Bannon of Pettis, Langston, Martin of Caldwell, Chelton, Burch, Davis and Sides.

Committee on Agriculture: Messrs. Wielandy, Bass, Brown of Howard, Gratiot, McMillan, Von Kochtitzky and Murphy.

Committee on Manufactures: Pauley, Hackman, Butler, Maupin, Harmon, Howell and Leach.

Committee on Roads and Highways: Messrs. Maupin, Gates, Applegate, Ming, Dean, Randall and Hubbell.

Committee on Claims: Messrs. Richardson, Bosbyshell, Colman, Beltrami, Burrows, Crockett and Hickman.

Committee on Elections: Messrs. Walker, Sloan, Williams of Morgan, Kent, Logan, Bennett and Turner.

Committee on Accounts: Messrs. Barrett, Bosbyshell, Martin of St. Louis, Gray, McAllister, Steele and Worden.

Committee on Revised and Unfinished Business: Messrs. Dod, Girdner, Bohn, Barnes, Howell, Bunch and Koch.

Committee on Engrossed Bills: Messrs. Gray, Dent, Burton, Mabrey, Bunch, Raney and Butler.

Committee on Enrolled Bills: Messrs. Martin of St. Louis, Edwards, Bradshaw, Colman, Auer, Bennett and Sides.

Committee on Local Bills: Messrs. Brown of Monroe, Bell, Haas, Lamson, Sorrell, Asher and Ralston.

Committee on Swamp Lands: Messrs. Marshall, Edens, Kitchen, Butler, Schooley, Sanford and Ming.

Committee on Deaf and Dumb and Lunatic Asylum: Messrs. Samuel, Williams of Audrain, Bosbyshell, Abbott, Cloud, Bell and Bass.

Committee on Blind Asylum: Messrs. Goodson, Brown of Howard, Ballard, Stancil, Norris, Martin and Walker.

Committee on Benevolent and Scientific Institutions: Messrs. Pope, Maupin, Fassen, Barrett, Robinson, Davis and Barnes.

Committee on Penitentiary: Messrs. Gates, Wielandy, Ming, Edwards, Neal, Adams of Gentry, and Brown of Howard.

Committee on Permanent Seat of Government: Messrs. Sorrell, Scoville, Stancil, Auer, Fassen, Wielandy and Doak.

Committee on Immigration: Messrs. Borg, Von Kochtitzky, Breazeale, Wilkes, Van Roden, Sanford and Newman.

Committee on Printing: Messrs. Shewalter, Walker, Barrett, Bittinger, Latshaw, Hooper and Edwards.

Committee on County Boundaries: Messrs. Brown of Howard, Shafer, Dolman, Leeper, Sloan, Hutt, McPike and Ballard.

Committee on Mines and Mining: Messrs. Frost, Doak, Myers, Van Roden, Collier, Clark and Sharp.

Mr. Shields offered the following resolution:

Resolved, That three hundred copies of the Speaker's report of the standing committees of the House, be printed for the use of the members of the House, to be paid out of the contingent fund of the House;

Which was read and adopted.

Mr. Cloud introduced the following concurrent resolution:

Concurrent resolution providing for paying respect to the memory of the Hon. Lyman Beeman.

WHEREAS, The Hon. Lyman Beeman, Representative from Newton county, departed this life at 12 o'clock on the night of the 9th inst.; therefore be it

Resolved by the House of Representatives, the Senate concurring therein, That the Commissioner of the Permanent Seat of Government be directed to take charge of the body of the deceased and have it prepared for interment.

Resolved, That a committee of three, consisting of two from the House and one from the Senate, be appointed to accompany the remains to the late place of residence of the deceased, and as a testimony of respect, that the House and Senate do now adjourn until 10 o'clock to-morrow morning, and that the members of the General Assembly attend the removal of the corpse to the depot at 2 o'clock, p. m., and that the members of this House wear the usual badge of mourning for thirty days.

Resolved, That the sympathy of the members of this House is hereby extended to the family and the friends of the deceased.

Resolved, That the Chief Clerk be directed to forward a certified copy of these resolutions to the afflicted family of the deceased.

The concurrent resolution was then read the first time, the rules suspended, read the second time, the rules further suspended and passed by the following vote:

AYES—Messrs. Abbee, Abington, Abbott, Adams from Butler, Adams from Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Blair, Bohn, Borg, Bos-

byshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gratiot, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams from Audrain, Williams from Morgan, Worden, and Mr. Speaker—134.

Absent—Messrs. Auer, Beeman, McMillan and Newman—4.

Mr. Neal moved to take a recess for ten minutes;
Which was adopted.

The recess having expired, the House was called to order by Speaker Wilson.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House concurrent resolution No. 4, entitled

Concurrent resolution providing for paying respect to the memory of the Hon. Lyman Beeman,

And passed the same;

Which was read.

The Speaker announced Messrs. Wilkes and Lamson as members of the joint committee on the part of the House to escort the remains of the late Hon. Lyman Beeman to the depot.

The Speaker declared the House, according to the resolution, adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, JANUARY 11, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Hulbert.

The journal of yesterday was being read, when,
On motion of Mr. Adams,
The further reading was dispensed with.

Mr. Edwards offered the following resolution :

Resolved, That twenty-two thousand five hundred copies of the Governor's address be printed for distribution; fifteen thousand thereof in the English, five thousand in the German, and twenty-five hundred in the French languages. One thousand of the same being for the Governor's use ;

Which was read.

Mr. Wielandy offered the following amendment :

And that the said German copies be printed at the German printing office in this city ;

Which was accepted.

The resolution, as amended, was then adopted.

Mr. Maupin presented a petition from the citizens of Saline county, praying for a change of the law of assessment in that and other counties ;

Which was read, and,

On motion of Mr. Maupin,

Referred to the Committee on Ways and Means.

Mr. Stone offered the following resolution :

Resolved, That the Chief Clerk of the House be instructed to call upon the Secretary of State, and request him to send to this House all unfinished business from the last session of the 25th General Assembly, left in his possession, which originated in this branch of the Legislature, and that the papers be referred to the Committee on Unfinished Business ;

Which was read and adopted.

Mr. Barrett offered the following resolution :

Resolved, That the Enrolling Clerk be authorized to appoint such assistant clerks as the public service may require, not exceeding four in number, whose pay shall be the same as that allowed by the last General Assembly ;

Which was read.

Mr. Blair offered the following amendment :

Insert five instead of four ;

Which was accepted.

Mr. Shields offered the following resolution :

Resolved, That the resolution, as amended, be referred to the Committee on Enrolled Bills, with instructions to report to the House what clerical force is necessary to attend to the duties of enrolling bills of this House ;

Which was read.

Mr. Leeper offered the following amendment :

Amend by striking out all after the word "resolved," and insert, "if additional clerks are required to carry on the business of this House, the Chief Clerk shall report the same to this House for its action;"

Which was agreed to.

The resolution, as amended, was then adopted.

Mr. Buller offered the following resolution :

Resolved, That all copies of the General Statutes which have been distributed to the members of this House be returned to the office of the Secretary of State ;

Which was read.

Mr. Neal offered the following amendment :

Amend by adding "except such members as prefer to retain their copies;"

Which was read.

Mr. Thomas offered the following amendment to the amendment :

Amend by inserting the following words "at the close of the present session of the General Assembly;"

Which was read.

Mr. Murray offered the following substitute :

Resolved, That all the General Statutes and session acts now in the possession of the members of the House, except the Wagner's Statutes, be returned to the Secretary of State ;

Mr. Hardin moved to lay the substitute on the table ;

Which was agreed to.

Mr. Kost offered the following resolution :

Resolved, That there be four committee clerks elected by this House, to act for any and all committees, and to receive five dollars per diem ; *provided*, said clerks shall not receive said per diem at any time when not employed by some committee ;

Which was read.

Mr. Walker offered the following amendment :

"That each and every committee have the power to select their clerk ; to receive five dollars per diem when actually employed ;"

Which was read.

Mr. Richardson moved to postpone the resolution until to-morrow morning at eleven o'clock ;

Which was agreed to.

Mr. Thomas offered the following resolution :

Resolved, That the instructions for drawing bills as prepared by the Judiciary Committee of the 25th General Assembly, and adopted by the House of Representatives on the 18th day of January, 1869, be and the same are hereby adopted for the government of the House of Representatives of the 26th General Assembly ;

Which was read.

Mr. Moore, of Livingston, offered the following amendment :

Amend by adding "and that 150 copies of said instructions be printed for the use of the House;"

Which was read.

Mr. Mitchell moved to refer the resolution and amendment to the Committee on Judiciary;

Which was agreed to.

Mr. Neal introduced a bill entitled

An act relating to the trial of certain misdemeanors by indictment;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Barrett introduced a bill entitled

An act to amend an act entitled an act concerning private corporations, approved March 19, 1866;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Blair introduced a bill entitled

An act to amend that part of chapter one hundred and sixty-five of the General Statutes of the State of Missouri on the subject of pleading and the rules of pleading, which relates to answers, counter-claims, replies and demurrers thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Adams, of Butler, introduced a bill entitled

An act to amend an act entitled an act to establish the twenty-third judicial circuit, and to provide for the election of a judge and circuit attorney and for other purposes;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Abbott, Robinson, Adams from Butler, Adams from Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Blair, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wieland, White of Texas, Wight of Vernon, Williams from Audrain, Williams from Morgan and Worden—127.

Absent—Messrs. Chilton, Coleman, Lamson, McAllister, McMillan, Neal, Pope, Mr. Speaker and Wilkes—9.

Sick—Mr. Gratoit—1.

The Speaker laid before the House the following communication and report of the State Treasurer, Mr. Hays.

(See Appendix.)

Mr. McMillan offered the following resolution:

Resolved, That the report of the Treasurer be received, and that 5,000 copies be printed for the use of the House;
Which was read and adopted.

Mr. Bittering introduced a bill entitled

An act to amend chapter 69 entitled of manufacturing and business companies of title 24 entitled of private corporations of the General Statutes of Missouri, approved March 20, 1866;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Goodson offered the following resolution:

Resolved, That the Speaker be and he is hereby requested to appoint a special committee, to be called the committee on township organizations, to be composed of nine members, one from each Congressional district, and that he announce the same to-morrow morning at ten o'clock;

Which was read and adopted.

On motion of Mr. Newman,

The House adjourned until 2 o'clock. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

The Speaker laid the House the following communication from the Commissioner of Permanent Seat of Government:

Mr. Speaker and Members of the House of Representatives:

GENTLEMEN: In relation to a resolution passed by the House yesterday requiring me to furnish rooms for the Enrolling and Engrossing Clerks and Doorkeeper, I beg leave to make the following statement:

The rooms formerly occupied by the Enrolling and Engrossing Clerks are now used respectively by the Judge of the Supreme Court and the Secretary of State.

Judge Wagner informs me that if he is compelled to give up the room he occupies at present he will have no place in which to write his decisions, and consequently will have to adjourn court and go home.

The Secretary of State informs me that the stationery of the State is kept in the room formally occupied by the Engrossing Clerk, and that he has no other place in which he can put it. There are no other rooms in the building excepting the committee rooms in the basement, and the excessive dampness of those rooms render them unfit to be a receptacle of the stationery referred to.

Respectfully,

DAN. RICE,

Com. Per. Seat of Government.

Which was read.

Mr. Crockett gave notice that he would to-morrow or some future day introduce a resolution to amend the rules in view of appointing a special committee on House organization.

Mr. Samuel offered the following resolution :

Resolved, That the chairman of the Committee on Accounts be authorized to employ a clerk at the usual compensation paid such clerks ;

Which was read.

Mr. Smith moved to lay the resolution on the table.

Which was not agreed to.

The ayes and noes having been demanded by Messrs. Smith and Neal.

The resolution was adopted by the following vote :

AYES—Messrs. Abbee, Abbott, Adams from Butler, Adams from Gentry, Alsup, Applegate, Asher, Auer, Ballord, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Buckham, Buller, Bunch, Burrows, Burton, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gratiot, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Kitchen, Koch, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Ranney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shewalter, Shields, Sides, Sloan, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, VanRoden, VonKochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams from Audrain and Worden—119.

NOES—Messrs. Abington, Davis, Hutt, Cost, Mabrey, Shafer, Smith and Williams from Morgan—8.

Absent—Messrs. Bittinger, Blair, Bulkley, Butler, Lamson, Latshaw, Pope, Shark, Wilkes and Mr. Speaker—10.

Mr. Brown, of Howard, gave notice that he would on to-morrow morning or some subsequent day introduce a resolution concerning section one of article five, of the rules of the House, requiring a member to give one day's notice in order to introduce a bill.

Mr. Hubbell gave notice that he would to-morrow introduce a bill to provide for a complete and uniform system of registration of voters and of repealing all former acts.

Mr. Samuel submitted the report of the State Lunatic Asylum.

(See Appendix.)

Mr. Pauley offered the following resolution :

Resolved, That the Committee on Penitentiary are hereby instructed to make a thorough investigation into the affairs of the penitentiary, and that they have leave of absence from the House, if necessary, that they may be enabled to make a report at as early a day as possible ;

Which was read and adopted.

Mr. Bell offered the following resolution :

Resolved, That the Commissioner of Permanent Seat of Government be instructed to furnish the Committee on Internal Improvements with a suitable room for the use of said committee ;

Which was read and adopted.

Mr. Marshall offered the following resolution :

Resolved, That there be appointed a special committee, to consist of nine members, one from each congressional district, to be known as the "Special Committee on Retrenchment and Reform," to whom shall be referred all matters pertaining to that subject:

Which was read and adopted.

Mr. Logan gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled,

An act to elevate the standard of the medical profession in Missouri, and to protect the citizens from empiricism.

Mr. Barrett gave notice that he would on to-morrow or some future day introduce a bill to extend the Mississippi and Missouri Air Line Railroad.

Mr. Shields offered the following resolution :

Resolved, That the Commissioner on Permanent Seat of Government is hereby instructed to provide a suitable room for the use of the Judiciary Committee ;

Which was read and adopted.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day, introduce a bill authorizing the erection of a new executive mansion.

Mr. Murray offered the following resolution :

Resolved, That this House will not appoint a clerk for any committee unless upon the request of the chairman of such committee, who shall give his reason for asking the appointment of a clerk for

such committee, and make his recommendation for such appointment;

Which was declared out of order.

Mr. Buller gave notice that on to-morrow or some subsequent day he would introduce a bill for the disposition of the recorded proceedings in the district court;

Also, an act to amend chapter one hundred and thirty-five of the General Statutes, in relation to appeals of writs of error;

Also, an act to amend chapter two hundred and fifteen of the General Statutes, in relation to appeals and writs of error in criminal cases;

Also, an act to amend an act entitled an act to amend section nine of chapter one hundred and seventy-two of title thirty-four of the General Statutes, concerning practice in civil cases.

Mr. Sanford gave notice that he would on to-morrow or some subsequent day introduce a bill to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri Reports.

Mr. Thomas gave notice that he would on to-morrow or some subsequent day introduce a bill in relation to the writ of *quo warranto*.

Mr. Hubbell offered the following resolution:

Resolved, That all special committees, which may be hereafter created by this session, shall not be allowed any clerk;

Which was read and not adopted,

Mr. Stone offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker for the purpose of informing the House what vacancies, if any, exist in the Board of Curators of the State University, and that they be requested to report at an early day;

Which was read and adopted.

The Speaker announced the following gentleman as said committee: Messrs. Stone, McMillan and Newman.

Mr. Brown of Howard, gave notice that he would on to-morrow or some subsequent day introduce a bill entitled an act regulating the indebtedness of counties, cities, incorporations, towns, municipal townships, and to provide for the payment of the same.

Mr. Thomas gave notice that on to-morrow or some subsequent day he would introduce a bill to change the time of holding courts in the fifteenth judicial circuit.

Mr. Marshall gave notice that on to-morrow, or as soon thereafter as convenient, he would introduce a bill to amend section five of chapter fifty-six, Wagner's Statutes, in relation to the fees of justices of the peace of the county courts.

Mr. Neal demanded the special order, being the consideration of Governor J. W. McClurg's message.

Mr. Bittinger moved a further postponement of the message until 11 o'clock Saturday, January 14, 1871;
Which was agreed to.

The special order considering the resolution appropriating pay to William H. Cornell for services rendered as clerk on the Committee of Accounts, was taken up, and,
On motion of Mr. Sorrell, was laid on the table.

The Speaker laid before the House the papers in the contested election case of Joseph Pulitzer, contestor, against N. M. Bell, contestee, of St. Louis.

On motion of Mr. Borg, the House adjourned until 10 o'clock tomorrow morning.

THURSDAY, JANUARY 12, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber of Cole county.

The journal of yesterday was being read, when,
On motion of Mr. Wielandy, the further reading of the journal was dispensed with.

The following message was received from the Senate, through its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that

Senate concurrent No. 4, entitled

"Concurrent resolution requesting Attorney General, H. B. Johnson, to report in compliance with concurrent resolution passed March 24, 1870,"

Has been introduced into the Senate and passed that body, in which the concurrence of the House is respectfully requested;

Which was read.

Mr. Newman offered the following resolution:

Resolved, That the Committee on the Permanent Seat of Government be, and they are hereby instructed (in conjunction with the Commissioner of the Permanent Seat of Government,) to examine the

various rooms in the Capitol in which are stored a large amount of old and useless documents, which have accumulated for years, and to cause to be preserved any of said documents which they may deem worth preserving, and to have the balance destroyed or to make such disposition of them as they may deem proper, in order that the rooms may be occupied as committee rooms, and report their action to this House;

Which was read and adopted.

Leave of absence was granted Mr. Shields for four (4) days.

Leave of absence was granted Mr. Butler for four (4) days.

Mr. Pope offered the following resolution:

Resolved, That as members of the Twenty-sixth General of the State of Missouri, and as representatives of the people of this State, we do cordially endorse the 13th, 14th and 15th amendments to the Constitution of the United States and the reconstruction policy of the General Government; and that we are in favor of the payment of the State and National indebtedness, strictly in accordance with the several contracts upon which such indebtedness, both State and National, is based;

Which was read.

Mr. Brown of Howard moved to lay the resolution on the table.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abington, Adams from Butler, Auer, Bailard, Barnes, Bass, Bell, Beltrami, Bosbyshell, Bradshaw, Brown from Howard, Brown from Monroe, Bunch, Burton, Butler, Chilton, Coleman, Collier, Davis, Doak, Edens, Edwards, Eubanks, Girdner, Goodson, Gray, Hammett, Hardin, Howell, Hubbell, Hutt, Latshaw, Leeper, Logan, Marshall, Martin from St. Louis, Maupin, Mabrey, Ming, Mitchell, Murphy, Murray, Myers, Newman, Ray, Richardson, Sanford, Shewalter, Sides, Sloan, Sorrell, Stone, Turner, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Williams from Audrain, Williams from Morgan—60.

NOES—Messrs. Abbee, Adams from Gentry, Alsup, Applegate, Asher, Barrett, Bittinger, Bohn, Borg, Breazeale, Buckham, Burrows, Clark, Cloud, Crockett, Dean, Dent, Dod, Dolle, Dolman, Fassen, Frost, George, Haas, Hackman, Harmon, Hickmau, Hooper, Kitchen, Koch, Kost, Langston, Leach, Marlin, Martin from Caldwell, McAllister, McMillan, Miller, Moore from Livingston, Moore from Stone, Mullings, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Smith, Stancil, Steele, Squires, Thomas, Van Roden, White of Texas, and Worden—62.

Absent—Messrs. Abbott, Bennett, Blair, Bulkley, Buller, Colcord, Gates, Gratiot, Lamson, McPike, Mortell, Samuel, Shields, Wilkes and Mr. Speaker—15.

Mr. Shafer moved to refer the resolution to the Committee on Federal Relations;

Pending which the hour of special order having arrived, being the consideration of the resolution offered by Mr. Kost on yesterday; It was taken up.

Mr. Richardson offered the following substitute:

Resolved, That the subject matter before the House relating to committee clerks be referred to a committee of five members of the House, to be appointed by the Speaker; that they be instructed to report what number of clerks is necessary to expedite the business of this House, the names of the committees requiring clerks and the number necessary;

Which was read.

Mr. Scoville offered the following amendment to the substitute:

Amend by striking out all after the word "resolved" and insert as follows: "That the committees on the Judiciary, Ways and Means, Internal Improvements, Elections and Accounts, each be allowed a clerk, who shall receive five dollars per day for the time actually employed, to be paid out of the contingent fund of the House;"

Which was read and accepted.

Mr. Murray offered the following substitute:

Amend by striking out all after the word "resolved," and insert as follows: "This House will not appoint a clerk of any committee unless upon the request of such committee; through its chairman, who shall give the reasons why such clerk is needed, and make a recommendation for such appointment;"

Which was read and adopted:

Mr. Thomas offered the following resolution:

Resolved, That the Committee on Judiciary be authorized to appoint a clerk.

Which was read and adopted.

Mr. Maupin moved to adjourn until 2 o'clock p. m.;

Which was not agreed to.

Mr. Neal moved to reconsider the vote by which the consideration of Governor J. W. McClurg's message was postponed until Saturday, January 14th;

Which was agreed to.

Mr. Neal offered the following resolution:

Resolved, That there shall be appointed a special committee consisting of nine members, one from each Congressional district, to whom shall be referred the messages and accompanying papers of the Hon. J. W. McClurg and the Hon. B. Gratz Brown, with instructions to distribute the subjects alluded to therein, and to report to this House the subjects considered in the messages and accompanying papers, and the appropriate standing committees to whom the subjects should be referred for special reports thereon;

Which was read and adopted.

Mr. McMillan gave notice that he would to-morrow or some subsequent day offer an amendment to the rules of the House.

Mr. Thomas, of Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred the resolution in regard to instructions for drawing bills, have had the same under consideration and direct me to report that they approve the same and recommend that it pass. The instructions referred to in said resolution are hereto attached;

Which was read.

Mr. Neal offered the following resolution :

Resolved, That the report of the Judiciary Committee on instructions for drawing bills be recommitted to the Judiciary Committee for investigation as to the proper phraseology in amending the Statutes, whether by General Statutes or Wagner's Statutes ;
Which was read and adopted.

Mr. Brown of Howard offered the following resolution :

Resolved, That section one, article five, of the rules of the House, be amended to read as follows :

Sec. 1. Every bill shall be introduced by motion for leave or by order of the House, or by report of a committee :

Which was read.

Mr. Neal offered the following substitute :

Strike out all after the word "resolved" and insert the following :
Every bill shall be introduced by motion for leave, or by order of the House, the report of a committee, or at the time of the order of introduction of bills, leave to introduce a bill may be given at the time of asking such leave, by consent of a two-thirds vote of the House ;

Which was read.

Mr. Bass moved to lay the substitute on the table ;

Which was agreed to.

Mr. Scoville gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend sections twelve and thirteen, chapter twenty-six, of the General Statutes concerning the recording of deeds.

Mr. Bittinger gave notice that he would on to-morrow or some subsequent day introduce

An act to amend section forty-three of chapter sixty-three, entitled of railroad companies of title twenty-four, entitled of "private corporations" of the General Statutes of Missouri ; also

An act amendatory of and supplementary to the charter of the city of St. Joseph.

Mr. Shafer gave notice that he would to-morrow or some subsequent day introduce

A bill to establish a court of common pleas in Shelby county ; also

A bill to amend section forty-one of chapter thirty-nine of Wagner's Statutes of Missouri.

Mr. Marshall gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section seven of chapter thirty-five, Wagner's Statutes, in relation to conveyances and the acknowledgment thereof.

Mr. Brown of Monroe gave notice that he would on to-morrow or some subsequent day introduce

A bill for the purpose of authorizing a vote of the people of this State to be taken upon the question whether a convention should be held for the purpose of revising and amending the Constitution of this State.

On motion of Mr. Mullings,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Mr. Smith gave notice that he would on to-morrow or some subsequent day introduce

A concurrent resolution memorializing Congress and demanding general amnesty, a reduction and regulation of the tariff laws, and reform of the civil service.

Mr. Adams of Butler gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend chapter fifty-two, title nineteen of General Statutes of Missouri, and to provide for the opening and repairing of roads, highways and bridges, and to repeal certain parts of said chapter.

Mr. Brown of Howard, gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled an act to provide for a uniform system of assessing and collecting taxes on railroads.

Mr. Brown of Howard, gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled an act to amend the charter of the Louisiana and Missouri River railroad.

Mr. Neal introduced a concurrent resolution entitled
Concurrent resolution requesting an amendment to the Homestead Law of May 20, 1862;

Which was read the first time, the rule suspended, read the second time, the rule further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Burton, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubank, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Maclin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalters, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams from Audrain, Williams from Morgan, Worden—115.

Absent—Messrs. Abbott, Bell, Bennett, Blair, Bohn, Bulkley, Butler, Chilton, Collier, Dolman, Hickman, Kitchen, Lamson, Maupin, Ming, Richardson, Sanford, Shields, Wilkes, Mr. Speaker and Brown from Howard—21.

Sick—Mr. Gratiot—1.

Mr. Leeper introduced a concurrent resolution entitled

Concurrent resolution to appropriate money to pay the members of the 26th General Assembly;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bittinger, Borg, Bosbyshell, Bradshaw, Brazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Burton, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Hickman, Hooper, Howell, Hubbell, Hutt, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Van Kocktitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, and Worden—112.

NOES—Messrs. Dean and Newman—2.

Absent—Messrs. Abbot, Bell, Bennett, Blair, Bohn, Bulkley, Chilton, Collier, Dolman, Gates, Harmon, Kitchen, McAllister, McMillan, Ming, Richardson, Robinson and Mr. Speaker—18.

Absent with leave—Messrs. Butler, Lamson, Shields and Wilkes—4.

Sick—Mr. Gratiot—1.

Mr. Brown, of Howard, introduced a bill entitled

An act regulating the indebtedness of counties, cities, incorporated towns and municipal townships, and to provide for the payment of the same;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Internal Improvements, and 200 copies ordered printed.

Mr. Mullings introduced a bill entitled

An act to amend an act to establish a probate and common pleas court in Greene county;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Local Bills.

Mr. Barrett introduced a bill entitled

An act to extend the time for the completion of the Mississippi and Missouri River Air Line Railroad;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Internal Improvements.

Mr. Wielandy introduced a bill entitled

An act authorizing the erection of a new Executive Mansion;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Permanent Seat of Government.

Mr. Marshall introduced a bill entitled

An act to amend section five of chapter fifty-six, Wagner's Statutes, in relation to the fees of justices of the county courts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Retrenchment and Reform.

Mr. Martin introduced a bill entitled

An act in relation to pawnbrokers;

Which was read the first time, the rules suspended, read the second time, and, on motion.

Referred to Committee on Criminal Jurisprudence.

Mr. Sanford introduced a bill entitled

An act to amend an act entitled an act to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri Reports, approved March 16, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Bittering gave notice that he would to-morrow or some subsequent day, introduce a bill to supply such State and county officers entitled to Wagner's Statutes, who have not heretofore been furnished with the same with a copy thereof.

Mr. Butler gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled:

An act to amend section twenty-five of chapter one hundred and eighty-two of the General Statutes in relation to juries in justices courts.

Mr. Pope gave notice that he would on some subsequent day introduce a bill, the leading object of which shall be to secure a just and equitable assessment of taxes upon all the real estate and personal property in this State.

Mr. Fassen gave notice he would on to-morrow or some subsequent day, introduce the following bill:

An act to amend section three of chapter forty-eight, relating to dram shops.

Mr. Myers gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to amend an act entitled an act to establish a court of common pleas in the county of Linn, approved March 12, 1867.

Mr. Hooper gave notice that he would to-morrow or some subsequent day, introduce a bill to revive an act regulating executions, approved December 13, 1855.

Mr. Neal gave notice that he would to-morrow or some subsequent day, introduce a bill to amend section twenty-four of chapter thirty-five of Wagner's Statutes, requiring grantees of real estate to record their deeds in ninety days.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, to whom was referred

House resolution authorizing the Enrolling Clerk to appoint such assistant clerks as the public service may require, not exceeding five in number, whose pay shall be the same as that allowed by the last General Assembly,

Beg leave to report that they have had the same under consideration, and recommend the Enrolling Clerk be authorized to appoint two assistant clerks for the present, and additional assistant clerks be hereafter appointed by him if this committee find the same to be necessary;

Which was read.

Mr. Martin of St. Louis, offered the following resolution:

Resolved, That the Enrolling Clerk be authorized to appoint such assistant clerks as the public service may require, not exceeding two in number, whose pay shall be the same as that allowed by the last General Assembly;

Which was read, and

Mr. Shields offered the following substitute:

Resolved, That the resolution as amended be referred to the Committee on Enrolled Bills, with instructions to report to the House what clerical force is necessary to attend to the duties of enrolling bills of this House;

Which was read and adopted.

The Speaker laid before the House the following communication from the Commissioner of Permanent Seat of Government:

OFFICE OF THE COMMISSIONER OF PERMANENT SEAT OF GOVERNMENT,
JEFFERSON CITY, MISSOURI, January 10, 1871.

In compliance with the requirements of section ten, chapter twenty-one of the General Statutes of the State of Missouri, I beg leave, to present to the General Assembly the following report:

The last General Assembly having failed to make sufficient appropriation to pay off all indebtedness and keep up repairs of the public property, I have been necessarily compelled to incur indebtedness for the following objects, to wit:

To preserve the Northwest outside wall of the Capitol grounds, and prevent the same from falling down....	\$167 50
To repair the fence around Capitol grounds.....	98 00
To furnishing sundries for the use of the Twenty-sixth General Assembly, all of which are itemized in the accounts and entered in the proper books.....	844 20
To make necessary preparations for the meeting of the Twenty-sixth General Assembly.....	153 60
Making a total of.....	\$1,293 30

There is a balance due on the indebtedness of 1869, as follows :

For putting shelves and book cases for the books of the Secretary of State in the basement of the Capitol....	\$265 00
For hauling water, sand, and freight for the Twenty-fifth General Assembly.....	125 00
For repairing State Armory.....	110 00
For repairing roof of Capitol building, and for painting, glazing, and putting new cords in the windows in said building....	248 00

Making a total indebtednes of..... \$2,041 30

I beg leave to call the attention of the General Assembly to the condition of the ceiling of the Hall of the House of Representatives. It is cracked in many places, and in danger of falling. I would respectfully recommend that it be removed and a new ceiling be put in. I would also call attention to the condition of the steps around the porch of the Capitol. They are broken and dilapidated, and I would respectfully recommend the removal of such as are broken and their replacement with new ones.

The State Armory is in a very bad condition, and stands in much need of repairs. It has been neglected too long, as some of the property which it contains has already been damaged in consequence of the bad condition of the building. The Capitol building also is in much need of repair. The basement walls, on account of their continual dampness, are rapidly decaying, and to prevent this I would respectfully suggest that an area of four feet in width be cut around the building as deep as the basement floor, and paved on the bottom with brick or stone, and properly drained, and the side walled up with stone to prevent the dirt from falling in, and covered with grating; and also that a suitable number of windows be cut down in the walls of the basement to afford sufficient light and ventilation to the rooms therein.

I would respectfully submit that it is impossible to proceed with the construction of the wall and fence around the Capitol grounds as the law directs, from the fact that convict labor cannot now be had for that purpose, inasmuch as it is all required for the extension of the walls around the Penitentiary and the erection of the new cell building therein. I have on hand seven hundred and seventeen feet of iron railing for the Capital fence, which has been on hand so long that it is much injured by rust, and if not put in use will soon become worthless.

Very respectfully,

DAN. RICE,

Commissioner of the Permanent Seat of Government.

Which was read and referred to the Committee on Permanent Seat of Government.

Mr. Leeper gave notice that he would to-morrow or some subsequent day introduce a bill to repeal an act entitled an act for the registration of voters, approved March 30, 1870.

Mr. Thomas introduced a bill entitled

An act in relation to *quo warranto*;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

The House then took up Senate concurrent resolution, requesting Attorney General H. B. Johnson, to report in compliance with concurrent resolution, passed March 24, 1870;

Which was read the first time.

On motion of Mr. Martin of St. Louis, the House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, JANUARY 13, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Bulkley of Jefferson City.

The journal of yesterday was being read, when Mr. Bass moved that the further reading of the journal be dispensed with;

Which was agreed to.

The Speaker announced as the committee to whom was referred the respective messages and accompanying documents of Governors J. W. McClurg and B. Gratz Brown:

Messrs. Neal, 7th district;
Stone, 1st district;
Auer, 2d district;
Gray, 3d district;
Abbee, 4th district;
McMillan, 5th district;
Mitchell, 6th district;
Brown, 8th district;
Edwards, 9th district.

The Speaker announced as Committee on Retrenchment and Reform:

Messrs. Marshall, 7th district;
 Bosbyshell, 1st district;
 Pauley, 2d district;
 Murphy, 3d district;
 Cloud, 4th district;
 Haas, 7th district;
 Bittinger, 6th district;
 Hooper, 8th district;
 Samuel, 9th district;

The Speaker announced as committee on Township Organizations: Messrs. Goodson of 8th district, Colcord, 1st district, Hunt, 9th district, Collier, 3d district, Abbee, 4th district, Wight, 5th district, Scoville, 6th district, Hubbell, 7th district and Mr. Koch, 2d district.

The Chair announced the special order to be the consideration of the resolution offered by Mr. Pope, as follows:

Resolved, That as members of the 26th General Assembly of the State of Missouri, and as Representatives of the people of this State, we do cordially endorse the 13th, 14th and 15th amendments to the Constitution of the United States and the reconstruction policy of the General Government, and that we are in favor of the payment of the State and National indebtedness strictly in accordance with the several contracts upon which indebtedness, both State and National, is based.

Mr. Goodson moved that further consideration of the same be postponed until Monday next at 10 o'clock.

Mr. Mullings called attention to the pending motion of Mr. Gates to postpone until Wednesday next.

Pending a decision of the same, Mr. Adams of Butler, called for the regular order of the day, the morning hour having expired.

The Speaker laid before the House the following communication of the Enrolling Clerk, Mr. Gillespie:

HOUSE OF REPRESENTATIVES,
 - JEFFERSON CITY, Mo., January 12th, 1871. }

To the Honorable the Speaker of the House of Representatives :

In accordance with the resolution this day adopted by the House, I have appointed the following named gentlemen, as Assistant Enrolling Clerks, in the order named below, viz.:

First Assistant, Arie DeJong of St. Louis.

Second Assistant, Thomas O. Sowles of Lewis county.

Very respectfully submitted,

W. O. B. GILLESPIE,
Enrolling Clerk H. R.

Which was read.

Mr. Bosbyshell offered the following resolution:

Resolved, That when the House adjourns, it adjourn until Tuesday the 17th day of January, 1871, at 10 o'clock A. M.

Which was read.

Mr. Mullings moved to lay the resolution on the table.

The ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Abbot, Adams of Butler, Alsop, Applegate, Asher, Barnes, Barrett, Bell, Beltrami, Bittinger, Breazeale, Buller, Bunch, Burrow, Butler, Clark, Cloud, Collier, Crockett, Dent, Dod, Dolle, Dolman, Eubanks, Fassen, Frost, Goodson, Gray, Hackman, Harmon, Hooper, Howell, Hubbell, Hutt, Lamson, Langston, Marlin, Martin of Caldwell, Maupin, McAllister, McPike, Ming, Mitchell, Marshall, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Meyers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Ranney, Ray, Richardson, Robinson, Ralston, Samuel, Sanford, Schooley, Shafer, Sharp, Sides, Smith, Steele, Thomas, Van Roden, Williams of Audrain and Williams of Morgan—76.

NOES—Messrs. Adams of Gentry, Auer, Ballard, Bass, Bennett, Blain, Bohn, Borg, Bosbyshell, Brown from Howard, Brown from Monroe, Buckham, Burton, Chilton Colcord, Coleman, Davis, Dean, Doak, Edens, Edwards, Gates, Girdner, Haas, Hammett, Hardin, Hickman, Kitchen, Koch, Kost, Latshaw, Leach, Leeper, Logan, Martin of St. Louis, Mabrey, Miller, Randall, Scoville, Shewalter, Sloan, Sorrell, Stancil, Stone, Turner, Von Kochtitzky, Worden and Mr. Speaker—47.

Absent—Messrs. Bradshaw, Bulkley, George, McMillan, Mortell, O'Bannon of Dallas, Squires, Walker, Wielandy, White of Texas, Wight of Vernon and Wilkes—13.

Absent with leave—Shields and Gratiot—2.

Mr. Koch offered the following resolution :

Resolved, That one thousand copies of the Governor's Inaugural Message be printed in the Bohemian language ;
Which was read, and on motion laid on the table.

Mr. Stone offered the following resolution :

WHEREAS, The 81st and 82d regiments of Enrolled Missouri Militia entered the actual military service of the State of Missouri in the year 1863, and were continued therein until the years of 1864 and 1865, and

WHEREAS, Many of the officers and private soldiers composing said regiments have never been paid for their services or any part thereof, notwithstanding the State of Missouri presented an account thereof to the Government of the United States and collected the same fully upon the certificate of the Governor of the State, that the State had paid the same to said officers and soldiers, when in truth said officers and soldiers had not, nor have they down to the present day been paid any part of the amount due them and collected as aforesaid, by the State of Missouri ; be it therefore

Resolved, By this House that a special committee composed of five member of this House be appointed by the Speaker to investigate the facts embraced in this resolution and all such other facts as may be necessary to carry into effect the object of this resolution, that said committee shall have power to send for persons and papers.

Resolved, further, That said committee, as speedily as possible, report result of their investigation to this House, together with a statement of what legislation, if any, may be necessary to insure justice to the parties interested, and the payment over to them of any

and all money that the State has collected and holds in trust for their benefit;

Which was read, and, on motion,
Referred to the special committee when appointed.

Mr. Bittinger gave notice that he would, on to-morrow or some subsequent day, introduce

An act entitled an act to provide for the collection of delinquent taxes in the city of St. Joseph, Missouri, due said city on real estate for the year 1870.

Mr. Samuel offered the following joint resolution:

Joint resolution to go into joint session to elect a Commissioner of Permanent Seat of Government.

Be it resolved by the House, the Senate concurring therein, That we go into joint session on Monday next at 2 o'clock, P. M., for the purpose of electing a Commissioner of Permanent Seat of Government;
Which was read and adopted.

Mr. Richardson offered the following resolution:

Resolved, That such portions of the Adjutant General's Report and of the Acting Pay and Quartermaster General's Report as relates to the unpaid claims against the State be and is hereby referred to the Committee on Claims, with instructions to report by bill or otherwise, such action as in the judgment of the committee is required and necessary in the premises;

Which was read and adopted.

Mr. Gates offered the following resolution:

Resolved, That when this House adjourns, it will adjourn to meet on Monday next at 10 o'clock, A. M.;

Which was read.

Mr. Mullings moved to lay the resolution on the table;

Which was agreed to by the following vote:

AYES—Messrs. Abbee, Abbot, Adams of Butler, Alsup, Applegate, Asher, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Buckham, Bunch, Burrows, Burton, Clark, Ocloud, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Eubanks, Fasson, George, Goodson, Haas, Harman, Howell, Hubbell, Hutt, Lamson, Langston, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, McPike, Miller, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Neal, Norris, Pauley, Pope, Raney, Randall, Ray, Robinson, Ralston, Samuel, Sanford, Shafer, Sharp, Sides, Thomas, Van Roden, Williams of Morgan and Warden—66.

NOES—Messrs. Abington, Auer, Ballard, Bass, Bell, Beltrami, Blair, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Butler, Chilton, Colcord, Coleman, Davis, Edens, Edwards, Frost, Gates, Girdner, Gray, Hackman, Hammett, Hardin, Hickman, Hooper, Kitchen, Koch, Kost, Latshaw, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, Ming, Mitchell, Meyers, Newman, O'Bannon of Pettis, Richardson, Schooley, Scoville, Shewalter, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Turner, Von Kochtitzky, White of Texas and Mr. Speaker—67.

Absent—Messrs. Adams of Gentry, Bulkley Collier, McMillan, Mortell, O'Bannan of Dallas, Walker, Wielandy, Wight of Vernon, Wilkes and Williams from Audrain—12.

Absent with leave—Mr. Shields—1.

Sick—Messrs. Squires and Gratiot—2.

Mr. Colcord offered the following resolution :

Resolved by the House of Representatives, That the Commissioner of Permanent Seat of Government be and is hereby authorized and empowered to purchase of the firm of Siegel & Bobb, of St. Louis, the gas fixtures now in use in the Hall of Representatives and the offices attached thereto, and that upon the certificate of said Commissioner, setting forth the price agreed to be paid for said gas fixtures being presented to the State Auditor, he shall draw his warrant on the State Treasurer for said amount in favor of said Siegel & Bobb, taking of said Siegel & Bobb proper vouchers and acquittances therefor. The amount required to pay for said fixtures to be paid out of the Contingent Fund of the House of Representatives ;

Which was read, and, on motion,

Referred to the Committee on Claims.

On motion, leave of absence was granted to Mr. Martin of St. Louis for 8 days.

On motion of Mr. Thomas,

The House adjourned until Monday morning, 10 o'clock.

MONDAY, JANUARY 16, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Prayer by the Rev. Mr. Huber.

The journal of Friday was being read, when,

On motion of Mr. Newman,

The further reading of the journal was dispensed with.

The pending question being the consideration of the resolution offered by Mr. Pope on Thursday, together with a motion to refer to the Committee on Federal Relation.

Mr. Pope moved the previous question ;
Which was not agreed to by the following vote:

AYES—Messrs. Abbee, Alsup, Asher, Bittinger, Bradshaw, Breazeale, Bulkley, Burrows, Clark, Cloud, Crockett, Dent, Dod, Dolle, Fassen, George, Hackman, Harmon, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Stone, Norris, O'Bannon of Dallas, Pope, Raney, Robinson, Schooley, Shields, Wilkes, Williams of Morgan and Worden—37.

NOES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Barnes, Barrett, Bell, Beltrami, Bennett, Blair, Borg, Bosbyshell, Brown of Howard, Buller, Burton, Butler, Chilton, Colcord, Coleman, Collier, Davis, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Hammitt, Hardin, Hooper, Howell, Hubbell, Hutt, Kitchen, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Murphy, Murray, Myers, Neal, Newman, Pauley, Ray, Samuel, Sanford, Sharp, Shewalter, Sides, Sloan, Smith, Stancil, Stone, Thomas, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas, Williams of Audrain and Mr. Speaker—68.

Absent—Messrs. Abington, Abbot, Ballard, Bass, Bohn, Brown of Monroe, Buckham, Bunch, Dean, Dolman, Gratiot, Haas, Hickman, Koch, Logan, McAllister, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, O'Bannon of Pettis, Randall, Richardson, Ralston, Scoville, Shafer, Sorrell, Steele, Squires, Van Roden and Wight of Vernon—32.

The House resumed the consideration of the resolution offered by Mr. Pope, when

Mr. Blair moved the previous question.

Pending a decision of the same;

The morning hour having expired,

Mr. Neal called for the regular order of the day.

Mr. Stone offered the following resolution :

Resolved, That the Speaker of the House be requested to inform the Governor that there is a vacancy in the House from the county of Newton in consequence of the death of the Hon. Lyman Beeman, and that he be requested to order an election in said county for representation ;

Which was read and adopted.;

Mr. Burrows offered the following resolution :

Resolved, That the Speaker appoint a committee of nine, one from each Congressional district, to whom shall be referred all bills or resolutions relating to amendments to the Constitution or call for a Constitutional Convention ;

Which was read and adopted.

Mr. Thomas offered the following resolutions:

Resolved, That we as representatives of the people of Missouri in the 26th General Assembly declare it to be the purpose of the people of this State to acquiesce in the accomplished results of the late civil war in our country, but we emphatically refuse to accept as

proper precedents to be recognized and followed in the future legislation of the country the methods by which many of these results were forced upon an unwilling people.

2. That we believe there is no necessity for the State or national government to deprive any citizen of this country of any of his political rights, and that the time has now come when the Congress of the United States should, by a general act, extend to all a full and complete amnesty for all past political offenses.

3. That we hold that the national debt should be paid in full, but we also believe that the bondholder is no better than the plow-holder, and the money that is good enough for one is good enough for the other; therefore we believe that the national currency known a greenback is a legal tender for all that portion of the national debt known as five-twenties.

4. That the government of the United States has no constitutional power to protect by tariff duties one class of industries at the expense of the others; that a tariff is a tax and can only be levied under the Constitution of the country for revenue, and a tariff having any other object in view is oppressive and unconstitutional.

5. That our Representatives in Congress be requested and our Senators be instructed to act in accordance with these resolutions in their action in the future in the councils of the nation as representatives of the people of this State.

Which was read.

Mr. Olcord offered the following resolution :

Resolved, That two hundred copies of the resolution be printed for the use of the House, and that the resolution be made the special order for Tuesday, January 24th, at 10 o'clock;

Which was read and adopted.

Mr. Maupin offered the following resolutions :

Resolved, 1st. As the sense of the House of Representatives of the General Assembly of the State of Missouri, that the oath of its members to support the Constitution of the United States, including all amendments thereto, is the only endorsement of such amendments which public duty requires.

2d. That as the fourteenth amendment recently adopted by the action of three-fourths of the States of the Union imposes political disabilities on large classes of the people of the Southern States and leaves it in the power of Congress to perpetuate the same; and such political disabilities being directly at variance with the recent overwhelming popular verdict in this State, we deem it our duty, as the representatives and servants of the people, to use all legal means in our power to give full force and effect to their judgment so emphatically rendered in condemnation of such disabilities and in favor of their immediate removal, in order that all citizens of the United States may be equal before the law, and equal in the popular sovereignty which forms the only just basis of republican institutions.

3d. That waiving all questions of the past as to the power of Congress to abridge the territorial limits or remodel the local governments of the States lately in rebellion, we cheerfully acquiesce in the reconstruction of those States, so far as the same has been accomplished with the assent and co-operation of the people thereof.

4th. That regarding the maintenance of the public faith as the first duty of legislative bodies, we are in favor of the liquidation of

all public debts, whether State or National, in strict accordance with the contracts by which they were created.

5th. That we hail the recent triumph of the Liberal ticket in this State over intolerance, proscription and the active and unwarranted interposition of the Federal Executive, as the beginning of a new era in our public affairs, in which good-will and the popular assent, as the foundation of authority, supercedes hate and arbitrary force, and in view of its beneficent and glorious results, we are proud to recognize the noble leaders by whom it was achieved, as worthy of all honor and entitled to the lasting gratitude of an emancipated people.

Mr. Burrows moved to lay the resolution on the table.

The ayes and nays having been demanded,

Was not agreed to by the following vote :

AYES—Abbee, Adams of Gentry, Alsup, Asher, Bradshaw, Breazeale, Burrows, Clark, Crockett Dent, Dod, Dolle, Kost, Lamson, Marlin, Marshall, Martin of Caldwell, Miller, Moore of Livingston, Moore of Stone, Neal, Norris, O'Bannan of Dallas, and Wilkes—24.

NOES—Messrs. Adams of Butler, Applegate, Auer, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Blair, Borg, Bosbyshell, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burton, Butler, Chilton, Cloud, Colcord, Coleman, Collier, Davis, Doak, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Hammett, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kitchen, Langston, Latshaw, Leach, Leeper, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Murphy, Murray, Myers, Newman, Pauley, Pope, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—84.

Absent—Messrs. Abington, Abbott, Ballard, Bass, Bohn, Brown of Monroe, Dean, Dolman, Gratiot, Haas, Hickman, Koch, Logan, McAllister, Ming, Mitchell, Mortell, Mullings, O'Bannon of Pettis, Randall, Richardson, Ralston, Sanford, Scoville, Shafer, Sorrell, Steel, Squires, and Wight of Vernon—29.

Mr. Smith moved a further consideration of this question be postponed until Tuesday, January 24, 1871 ;

Which was agreed to.

Mr. Walker offered the following resolution :

Resolved, That the Committee on Elections be permitted to appoint a clerk, as the amount of business now before them demands it;

Which was read and adopted.

Mr. Thomas offered the following resolution :

Resolved, That this House will, on to-morrow, at the hour of 12 o'clock m., proceed to the election of United States Senator from this State, to fill the vacancy in the United States Senate caused by the resignation of the Hon. C. D. Drake ;

Which was read and adopted.

Mr. Hardin offered the following resolution :

Resolved, That we, as the representatives of the people of the State of Missouri, cordially endorse the sentiments expressed in the Declaration of Independence, the Constitution of the United States, Washington's Farewell Address, and the bold and manly course of Carl Schurz in the United States Senate, in endeavoring to remove political disabilities and restore to the people of the United States the rights and liberties guaranteed them by the Constitution ;
Which was read.

On motion of Mr. Murphy,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

The House resumed the consideration of the resolution offered by Mr. Hardin.

Mr. Bittinger offered the following amendment :

Amend by inserting after the word "address," the "inaugural message" of Gov. B. Gratz Brown ;

Which was read, and,

On motion of Mr. Hardin,

The resolution and amendment were

Referred to Committee on Federal Relations.

Mr. McMillan gave notice that he would on to-morrow or some subsequent day ask leave to introduce a

Bill increasing the salaries of judges of the circuit court.

Mr. Asher introduced the following resolution :

Resolved, That a committee of five be appointed by the Speaker of the House to make a thorough investigation of the official acts and proceedings of ex-treasurer William Bishop, during his term of office, and report the same as soon as practicable; and that said committee be empowered to send for all persons and papers which they may deem necessary to assist them in said investigation;

Which was read and adopted.

Mr. Thomas introduced the following concurrent resolution :

Concurrent resolution to provide for the election of a United States Senator.

Resolved, That the Senate and House of Representatives will go into joint session on the 18th inst., at 12 o'clock m., for the following purpose: First—In case each house shall name the same person for the office of United States Senator to fill the vacancy caused by the resignation of the Hon. C. D. Drake, to declare who may be elected to such office. Second—Should both houses fail to name the same person for such position, then to proceed to elect a Senator by vote in joint session, in pursuance of the act of Congress in such cases made and provided;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read third time and adopted.

Mr. Moore introduced the following concurrent resolution, entitled

Concurrent resolution to investigate the location of the Normal Schools, and to provide for the appointment of a committee of five;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Murray gave notice that he would on to-morrow or some day thereafter, introduce a bill to amend sections five and six of chapter one hundred and thirty of the General Statutes in relation to dower.

Mr. Hubbell gave notice that he would on to-morrow or some subsequent day, introduce a bill to amend section twenty of chapter sixty-two of General Statutes of Missouri, relating to the general powers and liabilities of private corporations.

Mr. Hubbell gave notice that he would on to-morrow or some subsequent day introduce a bill to amend chapter 66, General Statutes, relating to the appropriation and valuation of lands taken for telegraph, macadamized, graded, plank, or railroad purposes, by adding a new section, so as to provide for the perfecting of the title attempted to be acquired by this chapter.

Mr. Hubbell gave notice that he would on to-morrow or some subsequent day introduce a bill to amend section 24, of article 3, of Wagner's Statutes, "on collection of the revenue and miscellaneous provisions."

Mr. Hubbell gave notice that he would on to-morrow or some subsequent day introduce a bill to amend section 4, chapter 98, of Wagner's Statutes, entitled "marriage and marriage contracts,"

Mr. McMillan offered the following resolution:

Resolved, That section 7, of article 7, of the rules of this House be, and is hereby amended so as to read as follows: Sec. 7. When a question is under debate, no motion shall be received but to adjourn; to lie on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged in this section;

Which was read and adopted.

Mr. Burrows gave notice that he would to-morrow or some subsequent day, introduce a bill amending chapter 206, General Statutes 1868, in relation to offences against public morals.

Mr. Burrows gave notice that he would to-morrow or some subsequent day, introduce a bill, an act to amend an act entitled, an act to provide means of opening, working and repairing roads, approved March 23, 1868.

Mr. Edwards gave notice that he would to-morrow or some subsequent day, introduce a bill to repeal an act entitled an act to amend chapter 49 of the General Statutes of Missouri, concerning school lands.

Mr. Hooper gave notice that he would to-morrow or some subsequent day, introduce a bill to amend section 32, of chapter 133, of the General Statutes, relating to the establishment of lost or decayed section corners.

Mr. Eubanks gave notice that he would to-morrow or some subsequent day, introduce a bill to amend section eleven, chapter forty-one, General Statutes of Missouri, concerning the incorporation of towns, election and power of trustees, etc.

Mr. Buckley gave notice that he would to-morrow or some subsequent day, introduce a bill to amend sections two, four, six, fifteen and sixteen, of article one, of chapter one hundred and twenty-three, of Wagner's Statutes, in regard to the organization, supervision and maintenance of common schools.

Mr. Robinson gave notice that he would to-morrow or some subsequent day, introduce a bill entitled, an act to amend section one of an act entitled, an act to amend an act incorporating the city of Oregon.

Mr. Neal gave notice that he would to-morrow or some subsequent day, introduce a bill to amend sections twenty-four and twenty-five, of chapter eighty-two, General Statutes, increasing the fees of witnesses.

Mr. Murphy introduced a bill, entitled

An act to provide for the organization of a probate court in St. Francois county, and for other purposes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Von Kocktitzky introduced a bill, entitled

An act to provide for the legalizing of the county court of Laclede county, and to regulate the justices thereof:

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Neal introduced a bill, entitled

An act to amend section twenty-four, of chapter one hundred and nine, of General Statutes, relating to recording deeds;

Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to the Committee on Judiciary.

Mr. Brown, of Howard, introduced a bill, entitled

An act to amend the charter of the Louisiana and Missouri River Railroad Company;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bell, Bittinger, Blair, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hammett, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, Pauley, Pope, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Smith, Stancil, Stone, Thomas, Van Roden, Von Kochtitzky, White of Texas, Wilkes, Williams of Audrain and Worden—99.

Absent—Messrs. Abbott, Ballard, Bass, Beltrami, Bennett, Borg, Brown of Monroe, Collier, Dean, George, Gratiot, Haas, Hickman, Kitchen, Koch, Kost, Logan, McAllister, Ming, Mitchell, Mortell, O'Bannon of Pettis, Randall, Richardson, Rolston, Sanford, Scoville, Shafer, Sloan, Sorrell, Steele, Squires, Turner, Walker, Wielandy, Wight of Vernon, Williams of Morgan and Mr. Speaker—38.

Mr. Brown of Howard, moved to reconsider the vote by which the bill passed.

Mr. Brown of Howard, moved to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Bittinger introduced the following bill, entitled

An act entitled an act to provide for the collection of delinquent taxes in the city of St. Joseph, Mo., due said city on real estate for the year 1870;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bell, Beltrami, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hammett, Hardin, Harmon, Howell, Hooper, Hubbell, Hutt, Kitchen, Lamson, Living-

ston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McMillen, McPike, Miller, Moore from Livingston, Moore from Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, Pauley, Pope, Raney, Ray, Robinson, Ralston, Samuel, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Stancil, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, White of Texas, Wilkes, Williams from Audrain and Worden—104.

Absent—Messrs. Abbot, Ballard, Bass, Bennett, Blair, Borg, Brown of Monroe, Dean, Gratiot, George, Haas, Hickman, Koch, Kost, Logan, McAllister, Ming, Mitchell, Mortell, O'Bannon of Pettis, Randall, Richardson, Sanford, Scoville, Sloan, Sorrell, Squires, Turner, Walker, Wieland, Wight of Vernon, Williams of Morgan and Mr. Speaker—33.

Mr. Bitteringer moved to reconsider the vote by which the bill passed.

Mr. Bitteringer moved to lay his motion to reconsider on the table ; Which was agreed to.

Mr. Myers introduced a bill entitled

An act to amend an act entitled an act to establish a court of common pleas in the county of Linn, approved March 12, 1867 ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Marshall introduced a bill entitled

An act to amend section nine of chapter one hundred and nine of the General Statutes, in relation to the conveyance of real estate ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Leeper introduced a bill entitled

An act to repeal the act to provide for the registration of voters, etc., approved March 31, 1868 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Fassen introduced a bill entitled

An act entitled an act to amend section three of chapter forty-eight, relating to dramshops ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Thomas, chairman of the Committee on Judiciary, submitted the following report :

MR. SPEAKER: The Judiciary Committee, to whom was referred the report of same Committee, in regard to "instructions for drawing bills," beg leave to report that they have had the same under consideration, and recommend that the original report be adopted ;

Which was read and adopted.

On motion,
Senate concurrent resolution No. 4
Was taken up and read the second time.

On motion of Mr. Neal,
The House adjourned until 10 o'clock to-morrow morning.

TUESDAY, JANUARY 17, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Bentley of Jefferson City.

The journal of yesterday was being read, when,
On motion of Mr. Hardin,
The further reading of the journal was dispensed with.

The House resumed the further consideration of Mr. Pope's resolution.

Mr. Adams of Butler moved the previous question.

Mr. Mullings moved to lay the resolution on the table;
Which was not agreed to by the following vote:

AYES—Messrs. Alsop, Moore from Livingston, Murphy and Ray
—4.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bittering, Boshyshell, Bradshaw, Breazeale, Brown of Howard, Brown from Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Lamson, Langston, Leach, Leeper, Marlin, Marshall, Martin from Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas,

Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wilkes, Williams of Audrain, Worden and Mr. Speaker—113.

Sick—Messrs. George and Gratiot—2.

Absent—Messrs. Abbot, Bennett, Blair, Bohn, Borg, Buller, Colcord, Dod, Fassen, Kost, Latshaw, Logan, Shafer, Sloan, Turner, Walker, Wight of Vernon and Williams from Morgan—18.

The question recurring on the previous question moved by Mr. Adams of Butler, the ayes and noes having been demanded the previous question was ordered by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Blair, Bosbyshell, Brown from Howard, Brown of Monroe, Bulkley, Bunch, Burton, Butler, Chilton, Colcord, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hammett, Hardin, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Latshaw, Leeper, Marshall, Martin from St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Ray, Richardson, Rolston, Samuel, Sanford, Schobley, Shewalter, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Williams from Audrain, Worden and Mr. Speaker—84.

NOES—Messrs. Abbee, Alsup, Asher, Bittinger, Bradshaw, Breazeale, Buckham, Burrows, Clark, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Hickman, Hooper, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McAllister, McMillan, Miller, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Raney, Randall, Robinson, Scoville, Sharp, Shields, Steele and Wilkes—41.

Sick—Mr. George—1.

Absent—Messrs. Abbot, Bennett, Bohn, Borg, Buller, Gratiot, Logan, Shafer, Sloan, Wight of Vernon and Williams from Morgan—11.

The question recurring on the motion of Mr. Shafer referring the resolution to the Committee on Federal Relations;

Which was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Blair, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hammett, Howell, Hubbell, Hutt, Kitchen, Koch, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Moore from Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Williams from Audrain, Worden and Mr. Speaker—83.

NOES—Messrs. Abbee, Alsup, Asher, Bittinger, Breazeale, Buckingham, Bulkley, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McAllister, McMillan, Miller Moore of Stone, Mullings, Neal, Norris, O'Bannan of Dallas, Pope, Raney, Randall, Robinson, Scoville, Sharp, Shields, Steele, Wilkes and Williams of Morgan—45.

Sick—Messrs. Borg, George and Gratiot—3.

Absent—Messrs. Abbot, Bohn, Logan, Shafer, White of Texas and Wight of Vernon—6.

Mr. Bulkley offered the following resolution :

Resolved, That the Committee on Federal Relations be requested to report on the resolution just referred, on to-morrow morning at 10 o'clock ;

Which was read.

Mr. Bosbyshell moved to lay the resolution on the table ;

Which was agreed to by the following vote :

AYES—Messrs. Abington, Abbot, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Blair, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Drake, Edens, Edwards, Gates, Girdner, Goodson, Gray, Haas, Hammett, Hardin, Howell, Hubbell, Hutt, Kitchen, Koch, Lashaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Mortell, Murphy, Murray, Myers, Newman, Pauley, Randall, Ray, Richardson, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Williams of Audrain, and Mr. Speaker—79.

NOES—Messrs. Abbee, Alsup, Asher, Bittinger, Breazeale, Buckingham, Bulkley, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Dolman, Eubanks, Fassen, Frost, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pope, Raney, Robinson, Ralston, Scoville, Sharp, Shields, Steel, Wilkes, Williams of Morgan, and Worden—50.

Absent—Messrs. Bohn, Borg, Gratiot, Logan, Shafer, Squires, and Wight of Vernon—7.

Sick—Mr. George and Gratiot—1.

Mr. Von Kochtitzky presented a petition of the citizens of Lebanon, Laclede county, praying for a change in the corporate limits of the town of Lebanon, Laclede county, Missouri ;

Which was read, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Barrett offered the following resolution :

Resolved, That the resolution adopted by this House authorizing the appointment by the Speaker of a committee of five to investigate the acts of ex-Treasurer Wm. Bishop, &c., be reconsidered;
Which was read and adopted.

Mr. Barrett offered the following resolution :

Resolved, That the further consideration of the resolution be postponed until the 27th inst., and that it be made the special order for 2 o'clock on that day;

Which was read and adopted.

Mr. Gates gave notice that he would on to-morrow or some subsequent day introduce a bill to prevent the necessity of changes of venue in civil cases.

Mr. Stone gave notice that he would on to-morrow or some subsequent day introduce a bill to provide for the payment of the special taxes assessed against the lands of the "Missouri Institution of the Education of the Blind" in the city of St. Louis, in conformity to the laws and ordinances concerning the improvements of streets and alleys in said city.

Mr. Latshaw gave notice that he would on to-morrow or some subsequent day introduce a bill to amend an act entitled an act to prevent the introduction into this State of Texas, Mexican or Indian cattle, during certain seasons of the year.

Mr. Thomas gave notice that he would on to-morrow or some subsequent day introduce a bill to amend section twelve and thirteen of chapter one hundred and sixty-nine of General Statutes, in relation to trials.

The object of this bill is to abolish the distinction between trials at law and in equity.

Mr. Marshall gave notice that he would on to-morrow or some subsequent day introduce a bill to amend section seven, chapter fourteen of the General Statutes, in relation to the State Interest and Sinking Fund.

Mr. Hooper gave notice that he would to-morrow or some future day introduce a bill to amend an act to aid in the establishment of normal schools, approved March 19, 1870.

Mr. Leeper gave notice that he would to-morrow or some subsequent day introduce a bill to increase the common school fund of this State.

Mr. Neal gave notice that he would to-morrow, or on some subsequent day, introduce a bill restricting county courts in borrowing money and raising taxes for county improvements.

Mr. Blair gave notice that he would on to-morrow, or on some subsequent day, introduce a bill to provide for the reorganization of the Insurance Department, and its more efficient administration.

Mr. Cloud gave notice that he would to-morrow or some subsequent day introduced a bill to amend an act entitled an act to establish a court of common pleas with probate jurisdiction in the county of Jasper, approved February 1, 1870.

Mr. Cloud gave notice that he would to-morrow or some subsequent day introduce a bill to amend section two of an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868.

Mr. Marshall gave notice that he would to-morrow or some subsequent day introduce a bill to amend section seventeen of chapter two hundred and nineteen, General Statutes, and section seventeen, chapter thirty-eight, Wagner's Statutes, in relation to costs in criminal cases.

Mr. McPike gave notice that he would on to-morrow or some subsequent day introduce a bill to provide for the establishment of a probate court in Marion county.

Mr. Abbot gave notice that he would on to-morrow or some subsequent day introduce a bill relating to the defining and limiting the salary of the treasurer of Osage county, Missouri.

At the hour of twelve, noon, the House took up the special order, being the election, by a *viva voce* vote, of a Senator of the United States from this State, to fill the vacancy in the unexpired term of Hon. C. D. Drake, resigned.

The Speaker declared nominations to be in order.

Mr. Bittinger nominated Hon. Jno. B. Henderson.

Mr. Thomas nominated Hon. F. P. Blair.

Mr. Wilkes nominated Hon. Jno. F. Benjamin.

There being no further nominations, the vote was taken, with the following result:

Total number of votes cast	133
Necessary to a choice.....	67
Of which, F. P. Blair received.....	86
Jno. B. Henderson.....	43
J. F. Benjamin.....	4

The members voting as follows:

FOR F. P. BLAIR—Messrs. Abington, Abbot, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Colcord, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Hickman, Howell, Hutt, Kitchen, Koch, Latshaw, Leeper, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Randall, Ray, Richardson, Samuel, Sanford, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Williams of Audrain, and Mr. Speaker—86.

FOR J. B. HENDERSON—Messrs. Abbee, Alsop, Asher, Bittinger, Bradshaw, Buckham, Bulkley, Burrows, Clark, Cloud, Crockett, Dent, Dodd, Dolle, Dolman, Fassen, Hackman, Harmon, Hooper, Hubbell, Kost, Langston, Leach, Marlin, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, O'Bannan of Dallas, Pope, Raney, Robinson, Rolston, Schooley, Scoville, Sharp, Shields, Steele, Williams of Morgan and Worden—43.

FOR J. F. BENJAMIN—Messrs. Breazeale, Lamson, Norris and Wilkes—4.

Sick—Mr. George—1.

Absent—Messrs. Logan and Wight of Vernon—2.

Excused—Mr. Blair—1.

A majority of the whole number of votes cast having been given for Hon. F. P. Blair, the Speaker declared him the choice of the House for Senator of the United States from this State for the unexpired term of Hon. C. D. Drake, resigned.

Mr. Edwards moved that the House adjourn until to-morrow morning at 10 o'clock;

Which was agreed to, and the House was declared adjourned.

WEDNESDAY, JANUARY 18, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. J. D. Vincil of Boone county.

The journal of yesterday was being read, when,
On motion of Mr. Martin of St. Louis,
The further reading of the journal was dispensed with.

Mr. Stone offered the following resolution:

Resolved, That 1,500 copies of the 7th Biennial Report of the Missouri Institute for the Education of the Blind be printed for the use of the members;

Which was read and adopted.

Mr. Brown of Howard offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of authorizing the Fund Commissioners of the State to invest the School Fund of this State in bonds of this State instead of the Registered Bonds of the United States;

Which was read, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Frost presented a memorial of the county court of Phelps county, asking for the passage of a law authorizing their county to borrow money;

Which was read, and, on motion,

Referred to the Committee on the Judiciary.

The Speaker laid before the House the following petition of a portion of the people of Platte county for a court of common pleas at Parkville, Missouri;

Which was read, and, on motion,

Referred to Committee on Judiciary.

Mr. Moore of Livingston introduced a bill entitled

An act to amend an act entitled an act to establish a court of common pleas in the county of Livingston;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Stone introduced a bill entitled

An act to provide for the payment of the special taxes assessed against the lands of the Missouri Institution for the Education of the Blind, in the city of St. Louis in conformity to the laws and ordinances concerning the improvements of streets and alleys in the city;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Murray introduced a bill entitled

An act to amend sections 5 and 6 of chapter 130 of the General Statutes, concerning dower;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. McPike introduced a bill entitled

An act to establish a probate court in Marion county, and for other purposes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Sorrell gave notice that he would, to-morrow or some subsequent day, introduce a bill to amend chapter 180 of the General Statutes, respecting justices of the peace.

Mr. Marshall introduced a bill entitled

An act to amend section 17, chapter 219 of the General Statutes, in relation to costs in criminal cases;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence, and 200 copies ordered printed.

Mr. Marshall introduced a bill entitled

An act to amend section 7 of chapter 14 of the General Statutes, in relation to the State Interest and State Sinking Fund;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Retrenchment, and 200 copies ordered printed.

Mr. Hooper introduced a bill entitled

An act to amend an act entitled an act to aid in the establishment of normal schools, approved March 19, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Brown of Howard introduced a bill entitled

An act to provide for a uniform system of assessing and collecting taxes on railroad;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means, and 200 copies ordered printed.

Mr. Latschaw introduced a bill entitled

An act to exempt certain territory from the effect of the provisions of an act entitled an act to prevent the introduction into this State of Texas, Mexican or Indian cattle during certain seasons of the year, approved February 26th, 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion

Referred to the Committee on Agriculture.

Mr. Hubbell introduced a bill entitled

An act to amend section four, chapter one hundred and thirteen of General Statutes, entitled marriage and marriage contracts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Hubbell introduced a bill entitled

An act to amend an act entitled "an act to amend sections twenty-four, forty-three, forty-four, forty-five, forty-six, fifty-two and sixty, chapter thirteen, and section sixteen, chapter ten of the General Statutes of Missouri in relation to the collection of the revenue, approved March 10th, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means, and two hundred copies ordered printed.

Mr. Scoville introduced a bill entitled

An act to amend sections twelve and thirteen of chapter twenty-six of the General Statutes of Missouri, concerning the recorder of deeds;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Gates introduced a bill entitled

An act to prevent the necessity of changes of venue in civil cases;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Burrows introduced a bill entitled

An act to amend an act entitled an act to provide means of opening, working and repairing roads, &c., approved March 23d, 1868;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Roads and Highways.

Mr. Burrows introduced a bill entitled

An act to amend chapter two hundred and six, General Statutes of 1868, in relation to offences against public morals, etc.;

Which was read the first time, the rules suspended, read the second time, and, on motion referred to Committee on Judiciary.

Mr. Von Kochtitzky gave notice that he would on to-morrow or some subsequent day introduce a bill, the object of which is to define the limits of the first, sixth, fourteenth and twenty-second judicial circuits, and fix the term of holding the circuit courts in said circuits, and for other purposes.

Mr. Buller introduced a bill entitled

An act to amend section twenty-five, of chapter one hundred and eighty-two, of the General Statutes in relation to juries in justice's courts;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Justices of Peace.

Mr. Shafer introduced a bill entitled

An act to establish the Shelby Court of Common Pleas;

Which was read the first time, the rules suspended, read the second time and, on motion,

Referred to Committee on Judiciary, and two hundred copies ordered printed.

Mr. Neal introduced a bill entitled

An act to amend sections twenty-four and twenty-five of chapter thirty-two of the General Statutes, relating to fees;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Justices of the Peace, and one hundred and fifty copies ordered printed.

Mr. Edwards gave notice that he would to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to amend and reduce into one act an act entitled an act to incorporate the city of St. Charles, approved March 10, 1849, and the several acts amendatory thereto, approved March 1, 1869.

Mr. Murray gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section three of chapter one hundred and sixteen of the General Statutes concerning curators, guardians and wards so as to allow the judge or clerk of any court having charge of probate business to appoint guardians in vacation, subject to the approval of such court at its next regular terms.

Mr. Buller gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend chapter forty-one of General Statutes in relation to incorporated towns by adding new sections thereto defining the powers and duties of the chairman of the board of trustees, and prescribing the manner of trial and punishment of offenders against ordinances of such towns.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that a bill of the following title has been introduced into and passed the Senate:

Senate bill No. 31 entitled

An act to appropriate money;

In which the concurrence of the House is respectfully requested.

Which was read.

On motion of Mr. Moore,

The House took up the consideration of

Senate bill No. 31, entitled

An act to appropriate money;

Which was read the first time, the rules suspended, read the second time, and, motion,

Referred to the Committee on Ways and Means, and 150 copies ordered printed.

Mr. Hubbell offered the following resolution:

Resolved, That the use of this Hall be tendered Elder T. M. Allen for divnie services on next Sunday;

Which was read and adopted.

The House took up Senate concurrent resolution No. 4, entitled Concurrent resolution requesting Attorney General H. B. Johnson to report in compliance with concurrent resolution passed March 24, 1870;

Which was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Abbot, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Blair, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe,

Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—132.

Absent—Messrs. Cloud and Kitchen—2.

Absent with leave—Messrs. Borg and Robinson—2.

Sick—Mr. George—1.

The Speaker laid before the House the following communication from H. J. Latshaw, chairman of the Committee on Ways and Means:

The Committee on Ways and Means respectfully ask that the House grant them the services of a clerk;

Which was read and agreed to.

Mr. Stone introduced a concurrent resolution:

That the Senate and House Committees on Permanent Seat of Government be instructed to investigate as to the accommodations now afforded the several standing committees of the Senate and House for holding their meetings, and whether or not there are sufficient and suitable rooms now provided for said committees to transact their business, and to report on the same as soon as practicable;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Abbot, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin from Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore from Livingston, Moore from Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell

Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochitzky, Walker, Wielandv, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—131.

Absent—Messrs. Blair, Brown of Monroe and Colcord—3.

Absent with leave—Messrs. Borg and Robinson—2.

Sick—Mr. George—1.

Twelve o'clock meridian, the time fixed by law for counting and declaring the vote for United States Senator to fill the vacancy caused by the resignation of Hon. C. D. Drake, having arrived,

The Senate, preceded by its officers, entered the hall of the House and were seated.

The President of the Senate took the chair, and called the joint session to order.

In accordance with the law of Congress, the journal of the Senate of the 17th inst., relating to the election of United States Senator, was read by the Secretary of the Senate, and the journal of the House of Representatives of the 17th inst., was read by the Chief Clerk thereof, from which it appeared that Jno. B. Henderson having received a majority of all the votes cast by the Senate, was by that body chosen as United States Senator, to fill the vacancy caused by the resignation of the Hon. C. D. Drake.

The journal of the House of Representatives being read by the Chief Clerk thereof, it appeared that Francis P. Blair having received a majority of all the votes cast, was the choice of that body as United States Senator, to fill the vacancy caused by the resignation of the Hon. C. D. Drake.

No election having resulted by the disagreement of the two houses,

The President ordered a *viva voce* vote to be taken in joint session.

The roll of the Senate was called by the Secretary of the Senate, the Senators voting as follows:

FOR JOHN B. HENDERSON—Senators Allen, Benecke, Brown of Adair, Brown of Shelby, Buckland, Davis, Gottschalk, Ittner, Papen, Ransom, Rogers, Roseberry, Southard, Todd, Vandivert and Mr. Waters—16.

FOR FRANCIS P. BLAIR—Senators Birch, Brockmeyer, Carroll, Essex, Follenius, Green, Lancaster, Moore, Morrison, Morse, Palmer, Reed, Rollins, Spaunhorst and Wornall—15.

FOR MR. BENJAMIN—Senator Filler—1.

Absent on leave—Senators Headlee and Blodgett—2.

Members of the House voting

FOR MR. HENDERSON—Messrs. Abbee, Alsup, Asher, Bittinger, Bradshaw, Buckham, Buckley, Burrows, Clark, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Hooper, Hub-

bell, Kost, Langston, Leach, Marlin, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, O'Bannon of Dallas, Pope, Rancy, Ralston, Schooley, Scoville, Sharp, Shields, Steele, Williams of Morgan and Mr. Worden—42.

FOR MR. BLAIR—Messrs. Abington, Abbot, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Colcord, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gratiot, Gray, Haas, Hammett, Hardin, Hickman, Howell, Hutt, Kitchen, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Randall, Ray, Richardson, Samuel, Sanford, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, and Mr. Speaker—87.

FOR MR. BENJAMIN—Messrs. Breazeale, Lamson, Norris and Wilkes—4.

Sick—Messrs. Borg, George and Robinson—3.

Excused—Mr. Blair—1.

The President appointed as tellers to cast up the votes cast for United States Senator, Senator Rollins on the part of the Senate, and Mr. Bittinger on the part of the House.

The tellers having agreed,

The President announced the vote as follows :

Whole number of votes cast on the part of the Senate...	32
Whole number of votes cast on the part of the House...	134
Total number of votes cast.....	166
Necessary to a choice.....	84
For Francis P. Blair.....	102
For Jno. B. Henderson.....	59
For J. F. Benjamin.....	5

Hon. Francis P. Blair, having received a majority of all the votes cast, was by the President declared duly elected United States Senator from the State of Missouri, to fill the unexpired term, ending March 4, 1873.

On motion of Senator Rollins,

The President appointed Senators Rollins and Gottschalk on the part of the Senate, and Messrs. Abbee, Bittinger and Mullings on the part of the House, as a committee to wait upon the Hon. Francis P. Blair, Senator-elect, and inform him of his election.

The committee having reported,

The President then introduced the Senator-elect, who addressed the joint session.

Mr. Mullings offered the following resolution :

Resolved, That this joint session now take a recess for ten minutes, and that Hon. Jno. B. Henderson be invited to address the Senators and members of the 26th General Assembly;
Which was read and adopted.

The recess having expired, the joint session was called to order. The business for which the joint session met having been transacted,

The President declared the same dissolved, and the Senators returned to the Senate Chamber.

On motion of Mr. Thomas,
The House then adjourned until to-morrow morning at 10 o'clock.

THURSDAY, JANUARY 19, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh of Jefferson City, Mo.

The journal of yesterday was being read, when,
On motion of Mr. Shafer,
The further reading of the journal was dispensed with.

Mr. Newman offered the following resolution :

WHEREAS, This House by resolution ordered the printing of a large number of the Governor's message and the inaugural of the Governor elect, which have not been delivered; therefore,

Resolved, That the Committee on Printing be requested to inquire into the cause of delay, and report to this House what action, if any, is necessary to facilitate the publication of messages, bills, and other documents by the Public Printer;

Which was read and referred to the Committee on Printing.

Mr. Stone offered the following resolution :

Resolved, That there be created by appointment a special committee, consisting of all the members of this House of Representatives from St. Louis county, to whom shall be referred all local bills, petitions and memorials effecting the interests of St. Louis city and county;

. Which was read and adopted.

Mr. Pauley offered the following resolution :

Resolved, That the Chief Clerk be and he is hereby directed to have the picture of Gen. Lyon framed to correspond with the other portraits in this chamber, at a cost not to exceed \$300; the same to be paid out of the contingent fund;

Which was read, and, on motion,

Referred to Committee on Ways and Means.

Mr. Richardson offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government be and is hereby authorized and required to remove the portrait of the late Walter Lovelace, Judge of the Supreme Court, and place said portrait in the Supreme Court room of the State;

Which was read and adopted.

The Speaker announced the following special committee on St. Louis local matter :

Messrs. Stone and Pope, chairmen, Blair, Fassen, Pauley, Colcord, Borg, Auer, Hickman, Mortell, Martin, Bosbyshell, Koch and Bell.

Mr. Blair introduced a bill entitled

An act to amend chapter sixty-three of the General Statutes, of railroad companies, by adding certain sections thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations and 200 copies ordered printed.

Mr. Blair introduced a bill entitled

An act to establish St. Louis Park;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis delegation.

Mr. Neal introduced the following concurrent resolution :

Concurrent resolution relating to Gen. Thomas :

Resolved by the House of Representatives, the Senate concurring, That we greatly regret to see that the Senate of Virginia has seen proper to refuse to do the late Gen. George H. Thomas the honor to refuse the appropriation of money to buy a portrait of him, when they at the same time purchased the portrait of the late Gen. Lee, thus discriminating in favor of the country's enemies and against its defenders;

Which was read, and, on motion,

Laid on the table by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Fassen, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Hickman, Howell, Hutt, Kitchen, Koch, Latshaw, Leach, Leeper, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Murphy, Murray, Myers, Pauley, Richardson, Samuel, Sanford, Schooley, Shafer, Shewalter, Sides, Smith, Sorrell, Stancil, Stone, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—72.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Breazeale, Bulkley, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Eubanks, Frost, Harmon, Hooper, Hubbell, Kost, Lamson, Langston, Logan, Marlin, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Raney, Randall, Ray, Rolston, Scoville, Sharp, Shields, Sloan, Steele, Van Roden, Wilkes, Williams of Morgan and Worden—48.

Absent—Messrs. Abbott, Bittinger, Bohn, Borg, Burrows, Dolman, Marshall, Mortell and Squires—9.

Absent with leave—Messrs. Buckham, Bunch, Newman, Robinson and Thomas—5.

Sick—Messrs. George and Gratiot—2.

The Speaker laid before the House the following communication :

JEFFERSON CITY, January 18, 1871.

Hon. R. P. C. Wilson, Speaker of House of Representatives :

DEAR SIR: I hereby tender my resignation as a Representative to the General Assembly of the State of Missouri from the Sixth District of the county of St. Louis, for the purpose of accepting the office of U. S. Senator.

Respectfully,

FRANK P. BLAIR.

Which was read and accepted.

Mr. Stone offered the following resolution:

Resolved, That the Speaker of this House be requested to inform the Hon. B. Gratz Brown, Governor of the State of Missouri, that there is a vacancy existing in the House of Representatives from the Sixth Representative District, county of St. Louis, in consequence of the election and resignation of the Hon. Frank P. Blair, United States Senator to the 42d Congress of the United States, to fill the vacancy made by the resignation of Charles D. Drake, and that he be requested to order an election in said district for representation forthwith;

Which was read and adopted.

The Speaker laid before the House the following communication from the Chief Clerk, Mr. Sutton:

MR. SPEAKER: The present clerical force under me I find to be inadequate to the proper fulfillment of the onerous duties imposed upon me, and I therefore respectfully request the appointment of two more clerks, which, I believe, will be ample for the balance of the session.

Respectfully,

D. A. SUTTON,

Chief Clerk.

Which was read and adopted.

The Speaker laid before the House the following communication from the Chief Clerk, Mr. Sutton:

MR. SPEAKER: In accordance with the resolution passed this day, I have appointed as Assistant Clerks, Gustav. Bruere and T. P. Bell.

Respectfully,

D. A. SUTTON,

Chief Clerk.

Which was read.

Mr. Leeper introduced a bill entitled

An act to increase the public school fund of the State of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Moore of Livingston, introduced a bill entitled

An act to amend sections four, twelve and thirteen of an act amendatory to an act to establish and regulate free public schools in the city of Chillicothe, approved March 12, 1870, amendatory of an act entitled an act to establish and regulate free public schools in the city of Chillicothe, approved February 15, 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Murray introduced a bill entitled

An act to amend section three of chapter one hundred and sixteen of the General Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Sorrell, introduced a bill entitled

An act to amend chapter one hundred and eighty of the General Statutes, respecting justices of the peace, etc.;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Justices of the Peace.

Mr. Moore of Livingston, introduced a bill entitled

An act to amend chapter eighty-nine, title twenty-six of the General Statutes of Missouri, by repealing sections two, four and five of said act;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. O'Bannon of Pettis, gave notice that he would to-morrow, or some subsequent day, introduce a bill entitled

An act repealing an act to establish a court of common pleas in the county of Lafayette, and a court of common pleas in the counties of Ray, Daviess and Pettis with probate jurisdiction, so far as the same relates to Pettis county.

The Speaker laid before the House the following communication :

Hon. R. P. C. Wilson, Speaker of the House of Representatives:

The citizens of St. Louis, and the friends of Senator Blair, tender to the Executive officers of the State and to the members of the General Assembly, the compliment of a banquet to be given at the Southern Hotel, in the city of St. Louis, on Saturday next, the 21st inst., at 5 o'clock p. m. of that day.

JOHN D. PERRY,

Chairman of the Committee of Arrangements.

Which was read.

Mr. Neal gave notice that he would to-morrow, or some subsequent day, introduce a bill requiring road overseers to give bond and defining the size of road districts.

Mr. Marshall gave notice that he would to-morrow, on some subsequent day, introduce a bill to amend section thirty-six of chapter thirty-eight of the General Statutes, in relation to the publication of the condition of certain school and other moneys, and the receipts and expenditures of the several counties.

Also, a bill to amend an act entitled an act to amend section nine of chapter eighty-three of the General Statutes, concerning strays.

Mr. Hubbell introduced a bill entitled

An act to amend section twenty, chapter sixty-two of the General Statutes of Missouri, relating to the general powers and liabilities of private corporations;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

The Speaker laid before the House the following communication from the chairman of the Committee on Claims:

To the Hon. Speaker of the House of Representatives:

MR. SPEAKER: I respectfully ask through you of this House the privilege of appointing a clerk to the Committee on Claims, of which I am chairman;

Which was read and agreed to.

Mr. Hubbell introduced a bill entitled

An act to amend chapter sixty-six of the General Statutes of Missouri, entitled "of the appropriation and valuation of lands taken for telegraph, macadamized, graded, plank or railroad purposes," so as to provide for perfecting the title attempted to be acquired under this chapter;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Internal Improvements.

Mr. Brown, of Howard, offered the following resolution:

Resolved, That we as members of the Twenty-Sixth General Assembly, accept the invitation to a banquet in St. Louis, tendered by the friends of Gen. Blair and the citizens of St. Louis generally;

Which was read and adopted.

The Speaker laid before the House the following communication from the State Auditor, Mr. Draper :

AUDITOR'S OFFICE, STATE OF MISSOURI,
City of Jefferson, January 19, 1871.

To the Honorable the Speaker of the House of Representatives:

I have the honor to submit herewith a copy of my report for the two years from January 1, 1869, to December 31, 1870.

Respectfully, your obedient servant.

DAN. M. DRAPER,
State Auditor.

Which was read.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day, introduce a joint resolution instructing our Senators and requesting our Representatives in Congress to procure an appropriation for the building of a Post Office and United States Court Room at the Capital of this State.

Mr. Gates gave notice that he would on to-morrow or some subsequent day, introduce a bill for defining the qualifications and registration of voters.

Mr. Smith gave notice that he would on to-morrow or some subsequent day, introduce a bill authorizing and directing a vote of the people to the people to be taken on the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State of Missouri.

Mr. Hardin gave notice that he would on to-morrow or some subsequent day introduce a bill to amend sections four and twelve of an act entitled an act to amend and reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13, 1867, so as to provide for the prosecution of appeals and writs of error from said court direct to the Supreme Court of the State; and to increase the number of the standing jury of said court of common pleas.

The Speaker laid before the House the following communication from the chairman of the Committee on Internal Improvements :

MR. SPEAKER: In view of the amount of work now in the hands of the Committee on Internal Improvements, and the prospect of further business being referred to this committee, we would respectfully ask that we may be authorized to employ a clerk at the pay paid the clerk at the last session;

Which was read and agreed to.

Mr. Maupin presented a petition of the citizens of Marshall, Saline county, praying that Jno. A. Frigg be indemnified for loss sustained during the war, by reason of occupation and destruction of his property by the Federal army;

Which was read, and on motion,
Referred to Committee on Claims.

Mr. Bass introduced the following resolution :

Resolved, That three thousand copies of the report of the Board of Managers and Superintendent of the State Lunatic Asylum be printed; two thousand for the use of the House and one thousand for the use of the Asylum;

Which was read and adopted.

Mr. Bitteringer introduced a bill entitled

An act to amend section forty-three of chapter sixty-three entitled "of railroad companies," of title twenty-four entitled "of private corporations," of the General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Agriculture, and 200 copies ordered printed.

Mr. Hooper introduced a bill entitled

An act to amend section thirty-two of chapter twenty-seven of the General Statutes of the State of Missouri;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary.

Mr. Hubbell offered the following resolution :

Resolved, That the thanks of the House of Representatives of the Twenty-sixth General Assembly be and are hereby tendered to the citizens of St. Louis for their generous invitation to the General Assembly to participate in the grand banquet, as conveyed to this House through the Speaker by Hon. J. D. Perry, chairman of said banquet.

Which was read and adopted.

Mr. Bitteringer introduced a bill entitled

An act to amend the charter of the city of St. Joseph;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bitteringer, Bosbyshell, Bradshaw, Braezeale, Brown of Howard, Brown of Monroe, Bulkley, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, Goodson, Gray, Haas, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin from Caldwell, Martin from St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Rolston, Samuel, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams from Audrain, Williams from Morgan, and Worden—113.

NOES—Messrs. Adams of Butler, Asher, Eubanks, Lamson and Sanford—5.

Absent—Messrs. Abbot, Bohn, Bunch, Burrows, Girdner, Hackman, Logan, McMillan, Newman and Scoville—10.

Absent with leave—Messrs. Borg and Thomas—2.

Sick—Messrs. Buckham, George, Robinson and Gratiot—4.

Excused from voting—Mr. Buller—1.

On motion, leave of absence was granted Mr. Myers for two days.

On motion of Mr. Neal,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Mullings introduced a bill entitled

An act to appropriate money for the pay of the General Assembly;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Abbot, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Bulkley, Bullor, Bunch, Burton, Butler, Chilton, Clark, Cloud, Coleord, Coleman, Collier, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Raney, Randall, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrels, Stancil, Steele, Stone, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—115.

Absent—Messrs. Bittinger, Burrows, Crockett, Gates, Hutt, Kitchen, Maupin, McAllister, Ming, Myers, Robinson, Shafer, Squires and White of Texas—14.

Sick—Messrs. Borg, Buckham, George and Gratiot—4.

Absent with leave—Messrs. Newman, Pauley and Thomas—3.

The following message was received from the Senate by its Secretary, Mr. Hendricks:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House concurrent resolution No. 10, entitled
Concurrent resolution of investigation and inquiry as to the accommodation afforded the Standing Committees,
And passed the same; also that
Senate concurrent resolution No. 10, entitled
Accepting the invitation to a banquet in St. Louis on Saturday the 21st inst.,

Has been introduced into the Senate and passed that body;
In all of which the concurrence of the House is respectfully requested;

Which was read.

Mr. Leeper introduced the following resolution:

Resolved by the House of Representatives, the Senate concurring therein, That this General Assembly avail themselves of the special train so kindly offered them and the State officers to convey the same to the city of St. Louis, and that they will leave Jefferson City for the city of St. Louis on Saturday next at 8 o'clock, A. M.;

Which was read.

Mr. Stone offered the following amendment:

Strike out Saturday at 8 o'clock and insert 3 o'clock Friday afternoon;

Which was read and accepted.

Mr. Neal offered the following amendment:

Amend the amendment by adding that no member shall receive pay for Saturday;

Which was accepted.

Mr. Mullings offered the following amendment:

Amend the amendment by including those only who attend the banquet;

Which was read.

Mr. Hutt moved to lay the resolution and amendments on the table.

The ayes and noes having been demanded it was not agreed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Monroe, Butler, Bunch, Chilton, Coleman, Collier, Dean, Dent, Dolle, Goodson, Haas, Hooper, Howell, Hutt, Koch, Kost, Lamson, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Mabrey, Miller, Mullings, Murphy, Norris, O'Bannan of Dallas, Raney, Ray, Rolston, Sanford, Scoville, Sharp, Sides, Steele, Van Roden, Wilkes and Williams of Morgan—52.

NOES—Messrs. Abbee, Abbot, Auer, Ballard, Bass, Bell, Beltrami, Bohn, Bosbyshell, Brown of Howard, Bulkley, Burton, Butler, Clark, Cloud, Colcord, Doak, Dod, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Gray, Hackman, Hammett, Hardin, Harmon, Hickman, Hubbell, Latshaw, Marshall, Martin of St. Louis, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murray, Neal, O'Bannon of Pettis, Randall, Richardson, Samuel, Schooley, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—64.

Absent—Messrs. Burrows, Crockett, Davis, Girdner, Kitchen, Maupin, McAllister, Moore of Stone, Myers, Pope, Robinson, Shafer and Shewalter—13.

Absent with leave—Messrs. Newman, Pauley and Thomas—3.

Sick—Messrs. Borg, Buckham, George and Gratiot—4.

Mr. McMillan offered the following resolution:

Resolved, That when this House adjourn to-morrow morning it adjourn to meet on Monday next at 10 o'clock, A. M.;
Which was read.

On motion of Mr. Frost,
Senate concurrent resolution No. 10, entitled
Accepting the invitation to the banquet in St. Louis, on Saturday,
the 21st inst., was taken up
And read the first time.

Mr. Neal offered the following amendment:

Amend by adding, "and that the two houses adjourn to-morrow until 10 o'clock A. M., Monday next;"

Which was read and not agreed to.

Mr. Von Kochtitzky offered the following amendment:

Strike out "10 A. M., Monday morning," and insert "3 o'clock P. M., Monday;"

Which was read and agreed to and adopted.

Mr. Brown of Howard, gave notice that he would to-morrow, or some subsequent day, introduce

A bill to amend the school law in reference to towns and villages.

Mr. Hardin offered the following resolution:

Resolved, That the resolution authorizing the printing of three thousand copies of the report of the board of managers and superintendent of the State Lunatic Asylum, be reconsidered;

Which was read.

Mr. Hardin offered the following amendment;

Amend by striking out all after "resolved," and insert: "That the Chief Clerk of the House of Representatives be authorized to have printed 900 copies of the report of the Board of Managers and Superintendent of the State Lunatic Asylum, five hundred for the use of the Asylum and four hundred for the use of the House;

Which was read and adopted.

The Speaker announced as committee to investigate the facts relating to the 81st and 82d regiments of E. M. Militia, Messrs. Stone, Edwards, Cloud, Myers and Samuel.

Mr. Edwards gave notice that he would on to-morrow, or some subsequent day, introduce

A bill to extend the time for the completion of a railroad bridge across the Missouri river at the city of St. Charles.

Mr. Bitteringer introduced a bill entitled

An act to supply such State and county officers entitled to Wagner's Statutes who have not heretofore been furnished with the same, with a copy thereof;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

On motion, leave of absence was granted

Messrs. Abington, Pauley and Crockett for four days.

Mr. Wielandy submitted the following report:

To the General Assembly of the State of Missouri:

The undersigned committee appointed by the Governor to settle with the Auditor and Treasurer, and examine into the condition and affairs of the Register's office, and to inquire into the validity of the bonds given by the various State officers, as provided in chapter one hundred and thirty-seven, sections fifty-two and fifty-five, Wagner's Statutes, having performed the duties assigned them, respectfully submit the following report:

We have carefully examined the books, vouchers and Treasurer's receipts in the office of Auditor and Treasurer, from the first day of January, A. D. eighteen hundred and sixty-nine to the first day of January A. D. eighteen hundred and seventy-one.

We find in the Auditor's office receipts of the Treasurer given in 1869, amounting to (\$2,837,002 51) two million eight hundred thirty-seven thousand two dollars and fifty-one cents. Receipts in A. D. 1870, amounting to (\$2,846,910 93) two million eight hundred forty-six thousand nine hundred ten dollars and ninety-three cents.

Total receipts for two years (\$5,683,913 44) five million six hundred eighty-three thousand nine hundred thirteen dollars and forty-four cents.

We find warrants drawn by the Auditor upon the Treasurer for the year A. D. eighteen hundred and sixty-nine, amounting to (\$2,702,021 92) two million seven hundred two thousand twenty-one dollars and ninety-two cents.

Warrants drawn in A. D. eighteen hundred and seventy, amounting to (\$10,056,603 03) ten million fifty-six thousand six hundred three dollars and three cents.

Total amount in warrants drawn for the two years (\$12,758,624 95) twelve million seven hundred fifty-eight thousand six hundred twenty-four dollars and ninety-five cents.

We also found in the Auditor's office warrants paid by William Bishop, late Treasurer, predecessor to W. Q. Dallmeyer, amounting to (\$3,625,742 88) three million six hundred twenty-five thousand seven hundred forty-two dollars and eighty-eight cents, omitted by for-

mer legislative committee of the Twenty-fifth General Assembly to order credited to Treasurer Dallmeyer.

We find the vouchers properly filed and entered in the books of the Auditor's office, and all the warrants paid by the Treasurer properly entered in the books of his office, and correct accounts kept of receipts and disbursements in both offices, and the books in both offices correspond in every particular, except two dollars and fifteen cents (2 15), an error discovered in the thorough examination of the books of both offices, which discrepancy was found to exist prior to the present officers coming into office. We have ordered this amount to be credited to the Treasurer, to completely balance the books, and accounts in the Auditor's and Treasurer's offices correspondingly.

We also found in the hands of the Treasurer one counterfeit bill, purporting to be twenty dollars, so basely bad that we were satisfied that such poor specimen of a counterfeit could not have escaped the notice of the Treasurer or his chief clerk, hence not received or paid out by either, though accompanied by affidavit that the bill was paid out by the Treasurer, we have given the Treasurer credit for that amount.

The accounts between the Treasurer and Auditor stand thus:

We find Treasurer Wm. Q. Dallmeyer charged with the following balance by the legislative committee of the Twenty-fifth General Assembly, on the 1st day of January, A. D. eighteen hundred and sixty-nine.....	\$11,137,543 69
Amount receipted for in 1869.....	2,837,002 51
Amount receipted for in 1870.....	2,846,910 93
Sum total.....	\$16,821,457 13

CREDITS.

By warrants paid by Wm. Bishop....	\$ 3,625,742 88
" " Dallmeyer, 1869....	2,702,021 92
" " " 1870....	10,056 603 03
By correctors of errors.....	2 15
By balance on hand.....	437,087 15
Total.....	\$16,821,457 13

For this balance Samuel Hays has given his receipt for four hundred thirty-seven thousand eighty-seven dollars and fifteen cents, a duplicate of which is filed in the Auditor's office, and he there charged with the amount.

This balance so receipted for consists of the following items, to wit:

Hannibal and St. Joe Railroad bonds, with interest coupons due first day of January, 1870, attached		\$167,000 00
Union Military bonds	\$17,897 00	
Interest allowed as per receipts	3,332 46	
		<hr/> 21,329 46
Wolf scalp certificates		1,989 50
Railroad tax receipts		271 76
Defense warrants		2,280 00
Counterfeit bill		20 00
Claim against Wm. Bishop		2,150 00
Current funds on hand		242,046 43
		<hr/>
Total		\$437,087 15

We have also counted and turned over to Samuel Hays, Treasurer, taking his receipt therefor, and filed duplicate receipts in the Auditor's office, the following, to wit:

Registered U. S. 5-20 bonds, payable to the State Treasurer, amounting to	\$1,516,000 00
U. S. 5-20 bonds, consol.	52,100 00
Registered U. S. 5-20 bonds, payable to State Board of Education	82,000 00
	<hr/>
Sum total	\$1,650,100 00

Belonging to the State School Fund.

We also find in the Auditor's office, belonging to the State School Fund, twenty Missouri State six per cent. bonds, amounting to twenty thousand dollars, making the total State School Fund one million six hundred seventy thousand one hundred dollars.

We also found in the Auditor's office the following bonds belonging to the State Seminary Fund, to wit:

Registered 5-20 U. S. bonds, amounting to	\$100,000 00
U. S. 5-20 coupon bonds	8,700 00
	<hr/>
Total	\$108,700 00

One hundred eight thousand seven hundred dollars. We have canceled, by stamping, all the vouchers in the Auditor's office, also the Treasurer's receipts, and filed them. We have likewise canceled, by stamping, all the warrants paid by the Treasurer in his office, also the wolf scalp certificates and Union Military bonds, as above counted. We found the books and papers in the Auditor's and Treasurer's offices well kept, but believe the room assigned for the Auditor and Treasurer inadequate. The register of bonds in the Auditor's office is systematically arranged, and bonds are properly registered. We also found that Treasurer Dallmeyer kept a full register of Union Military bonds, which register has heretofore not been kept in a manner required by law.

We find in the Auditor's office a forged certificate for school moneys, purporting to come from the county clerk of New Madrid county, amounting to thirteen hundred eighty-eight dollars and seventy-four cents (\$1,388 74), paid March the first A. D. eighteen hundred and

seventy, which was paid by the Treasurer upon a warrant drawn by the Auditor.

We find a large quantity of bonds in the custody of the Treasurer in a partial state of completion, others completed, dated, numbered, and signed by A. W. Morrison, with coupons attached, that have never been issued; also, a large number of State bonds of a like character and description in the Auditor's office, that never have been issued. Two other committees have called your attention to these bonds in detail. These bonds should be destroyed by burning.

We examined the office of Register of Lands, and found the books kept in a neat and careful manner, and that the business of the office has been carefully recorded.

We examined in the office of Secretary of State, the bonds of the Treasurer, Register of Lands, of the Auditor, Superintendent of Public Schools, and in the Auditor's office the bond of the Secretary of State, and found all the bonds in legal form, and valid in all respects. We would respectfully recommend that the bonds in the hands of the Auditor belonging to the State School and State Seminary Funds be transmitted to the Treasurer and charged to him, the Treasurer filing his receipt therefor.

We further recommend that the matter of giving more room and convenience to the Auditor's and Treasurer's departments, necessary for the transaction of the business in these offices, be duly considered.

We further recommend that the amount paid by the Auditor upon the above named fraudulent requisition, purporting to be from New Madrid county, be ordered paid, and thereby the Auditor relieved, who has used every diligence to apprehend the guilty party.

We further recommend the claim twenty-one hundred and fifty dollars, against Wm. Bishop, be demanded and collected.

We further recommend that the Executor and Administrator Fund, amounting to \$37,000, be invested by the State Treasurer in the bonds of the State.

We further respectfully recommend that, after the adoption by your honorable body of this report, your committee be instructed to cause the proper entries to be made in books of the Auditor and Treasurer, and the completed bonds not issued, the wolf scalp certificates and the Union Military bonds counted and canceled by your committee be destroyed by burning.

In conclusion, permit us to express our thanks to the Auditor, Treasurer, Register of Lands, Secretary of State and their clerks, for their kind attentions whilst performing the duties devolving upon us in our labors, and congratulate the State upon the correct and efficient manner in which the officers of the State have performed the duties of their respective offices that your committee have examined.

Very respectfully submitted,

HENRY J. SPAUNHORST,
JOHN F. WIELANDY,
M. McMILLAN.

Which was read and, on motion,

Referred to the Committee on Ways and Means, and 150 copies ordered printed.

Mr. Walker, from the Committee on Elections, submitted the following report:

To the Honorable the Speaker of the House of Representatives :

Your Committee on Elections, to whom was referred the case of William J. Knott, contestant, against Chas. H. Abbot, contestee, and sitting member, from the county of Osage, having had the same under consideration, beg leave to make the following report:

That it appears in evidence that contestant gave due notice to the contestee, together with the list of persons whose names were alleged to have been illegally stricken from the registered list of qualified voters. The contestant appeared with his justice as named in the notice, at the time and place specified in said notice; and the contestee not appearing, the contestant, in compliance with the Statute, selected another justice, who appeared and acted. The two thus selected proceeded to take depositions in pursuance of the notice given by contestant. The points relied on by the contestant in his notice are as follows:

1st. That the contestee is ineligible to the office of Representative, he not having paid a State and county tax as required by the Constitution.

2d. That a supplement return of three names, persons who voted for contestant, made by the judges and clerks of election at Stony Point precinct were omitted and not counted for contestant in the final casting up of the votes of the county.

3d. That eleven persons whose names appear upon the original book of registration as qualified voters, upon the day of election appeared before the judges of election in their respective precinct, and offered to vote for contestant for Representative, but their ballots were unlawfully refused by said judges of election.

4th. That one Jacob Hofstotler, an infant, under the age of twenty-one years, voted for contestee, in Jefferson township, and his vote so counted in the final casting up of the vote of the county of Osage.

Whilst your committee is divided in opinion in regard to some allegation, they are unanimously of the opinion that Mr. Chas. H. Abbot is not entitled to the seat he now holds, and recommend to the House of Representatives the adoption of the following resolutions:

1. *Resolved*, That Chas. H. Abbot, the contestee, and sitting member from the county of Osage, is not entitled to the seat he now occupies in the 26th General Assembly of the State of Missouri.

2. *Resolved*, That William J. Knott, the contestant, is entitled to the seat in the 26th General Assembly of the State of Missouri, now held by Chas. H. Abbot, the contestee;

Which was read.

The resolutions recommended by the committee, were read and adopted.

Mr. Adams offered the following resolution:

Resolved, That William J. Knott now come forward and be sworn in as the member of this House from the county of Osage;

Which was read and adopted.

Mr. Knott came forward and was sworn in as a member of the 26th General Assembly of the State of Missouri, and took his seat.

Mr. Colcord introduced the following concurrent resolution, entitled:

Concurrent resolution in relation to the organization of an Indian State upon our Southwestern border, and the occupation of the Indian Territory;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Federal Relations.

Mr. Buller introduced a bill entitled

An act to amend chapter forty-one of the General Statutes of Missouri, in relation to incorporation of towns and powers and duties of trustees, and adding new sections thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence, and 150 copies ordered printed.

On motion of Mr. Mullings,

The House adjourned until 10 o'clock to-morrow morning.

FRIDAY, JANUARY 20, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber of Jefferson City.

The journal of yesterday was being read, when,
On motion of Mr. Abington,
The further reading of the journal was dispensed with.

On motion, leave of absence was granted to Messrs. Hackman and Marlin, for four days.

On motion, leave of absence was granted to Messrs. Dollman, Martin of Caldwell and Kost, for one day.

On motion, leave of absence was granted to Mr. Lamson for two days.

On motion, leave of absence was granted to Messrs. Gray, Van Roden and Wilkes for one day.

On motion, leave of absence was granted to Messrs. O'Bannon, Mullings and Girdner, for five days.

On motion, leave of absence was granted to Mr. Murphy, for four days.

Mr. Buller offered the following resolution :

Resolved, That a special committee of nine, to be called the Committee on Revenue and Assessment, to be composed of one member from each Congressional district, be appointed to revise the laws relative to the assessment and collection of the revenue, and to whom shall be referred all bills for the revision or amendment of the revenue law ;

Which was read.

Mr. Samuel offered the following amendment :

Amend by adding "together with the manner and mode of collecting the revenue ;"

The resolution as amended was then adopted.

Mr. Mitchell presented a petition of the citizens of Lafayette county, for the removal of the county court ;

Which was read, and on motion, referred to Committee on Judiciary.

Mr. Martin offered the following resolution :

Resolved, That the invitation to attend a banquet given by the citizens of St. Louis on the election of their distinguished townsman, Francis P. Blair, to the United States Senate, is hereby accepted ;

Resolved, That the officers of the House and the representatives will attend the banquet at the Southern Hotel, in the city of St. Louis, on Saturday evening, the 21st instant, at 5 o'clock P. M. ; and that the Speaker of this House, is respectfully requested to inform Mr. Perry by telegram, of our cordial acceptance of the invitation ;

Which was read and adopted.

The following message was received from the Senate by Senators Spaunhorst and Southard :

Lieut. Gov. Gravelly, President of the Senate, and Hon. R. P. C. Wilson, Speaker of the House :

You will please communicate to the Legislature that the citizens of St. Louis have tendered a banquet to Senator Blair, on Saturday, 21st inst., at 5 P. M., and that a cordial invitation is extended to the General Assembly. We hope to see every member present. A special train will leave Jefferson City, due notice of which will be given.

JOHN D. PERRY,

Chairman of the Committee of Arrangements.

Which was read.

Mr. McMillan offered the following resolution :

Resolved, That all bills and joint and concurrent resolutions shall be ordered printed when referred to a committee, unless otherwise ordered at the time ;"

Which was read.

Mr. Marshall offered the following amendment :

Amend by adding "not exceeding 150 copies"

Which was accepted.

On motion of Mr. Hardin the resolution was laid on the table.

Mr. Moore of Livingston, introduced a bill, entitled,

An act to authorize the Southwest and Pacific Railroad Company to merge and consolidate with the Atlantic and Pacific Railroad company;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Internal Improvement.

Mr. Marshall introduced a bill entitled,

An act to amend section thirty, of chapter thirty-eight, of the General Statutes, in relation to the publication of certain school moneys, and of the receipts and expenditures;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Retrenchment and Reform.

Mr. Marshall introduced a bill, entitled,

An act to amend an act entitled an act to amend section nine, chapter eighty-three, of the General Statutes of the State of Missouri, A. D., 1865, concerning strays ;

Which was read the first time, the rules suspended, read the second, and on motion,

Referred to the Committee on Retrenchment and Reform.

Mr. O'Bannon of Pettis, introduced a bill, entitled,

An act repealing an act entitled an act to establish a court of common pleas in the county of Lafayette, and a court of common pleas in the county of Ray, Davis and Pettis, with probate jurisdiction ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Stone gave notice that he would to-morrow or some subsequent day, introduce a bill to pay the indebtedness incurred in the purchase of lumber for the Missouri Penitentiary in May, 1861.

Mr. Bosbyshell gave notice that he would on to-morrow or some subsequent day, introduce a bill authorizing the city of St. Louis to reconstruct certain streets.

Mr. Hardin introduced a bill, entitled,

An act to amend sections four and twelve of an act to amend and reduce into one act the several acts relating to Louisiana court of common pleas, approved March 13th, 1867;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Leeper gave notice that he would on to-morrow or some subsequent day, introduce a bill to amend chapter fifty-two. title nineteen, of the General Statutes of Missouri, and to provide for the opening and repairing of roads and highways and bridges, and to repeal certain parts of said acts.

Mr. Buller gave notice that he would to-morrow or some subse-

quent day, introduce a bill to amend sections thirty-three and thirty-five, and to repeal section thirty-four, of chapter one hundred and twenty-one of the General Statutes, relating to administration upon estates of deceased persons;

Also, a bill to amend section nine of chapter one hundred and twenty-four of the General Statutes, in relation to administrator's fees.

Mr. Mortell gave notice that he would to-morrow or some subsequent day, introduce a bill to carry into effect section thirty-three of article four of the Constitution of Missouri, providing for suits against the State.

Mr. Pope gave notice that he would to-morrow or some subsequent day, introduce a bill to require railroad companies of this State to give all shippers of grain, bills of lading for so much weight, and to make their bills of lading good for the same quantities at the places of delivery notwithstanding any exceptions that may be printed or written in such bills of lading.

Mr. Brown of Howard gave notice that he would to-morrow or some subsequent day introduce

A bill amending sections four and nine, chapter eighty-three, General Statutes of Missouri, concerning strays.

Mr. Brown of Howard introduced a bill entitled

An act to amend an act entitled an act to authorize cities, towns and villages to organize for school purposes with special privileges to repeal certain acts therein mentioned, and all acts and parts of acts inconsistent with said acts, approved March 21, 1870;

Which was read the first time, the rules suspended, read the second time, and

Referred to Committee on Education.

Mr. Bass gave notice that he would to-morrow or some subsequent day introduce

A bill to abolish the office of State Court of Equalization.

Mr. Mortell introduced a concurrent resolution entitled

House concurrent resolution of censure;

Which was read.

Mr. Smith moved to lay the resolution on the table;

Which was agreed to by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Burton, Butler, Chilton, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Edens, Edwards, Eubanks, Fassen, Frost, Hammett, Hardin, Hickman, Howell, Hutt, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McPike, Mitchell, Mortell, Murray, Pope, Ray, Richardson, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Sorrell, Stone, Squires, Turner, Von Kochtitzky, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—64.

NOES—Messrs. Abbee, Alsup, Bittinger, Bulkley, Buller, Bunch,

Clark, Cloud, Dent, Dod, Dolle, Haas, Hubbell, Kitchen, Langston, Marshall, McAllister, McMillan, Miller, Moore of Stone, Norris, O'Bannon of Pettis, Raney, Randall, Rolston, Scoville, Shafer, Shields, Smith, Steele, Walker, Williams of Morgan and Worden—33.

Absent—Messrs. Adams of Gentry, Asher, Bohn, Buckham, Burrows, Gates, Harmon, Hooper, Knott, Leach, Ming, Moore of Livingston, Robinson, Stancil and Wielandy—15.

Absent with leave—Messrs. Abington, Breazeale, Dolman, George, Girdner, Goodson, Gratiot, Gray, Hackman, Kost, Lamson, Marlin, Martin of Caldwell, Mullings, Murphy, Neal, Newman, O'Bannon of Dallas, Pauley, Sharp, Thomas, Van Roden and Wilkes—23.

Sick—Mr. Myers—1.

On motion, leave of absence was granted to Mr. Breazeale for four days.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and 'passed that body

Senate bill No. 34, entitled

An act for the relief of Sarah V. Childress;

In which the concurrence of the House is respectfully requested;

Which was read.

The Speaker laid before the House the following communication from his Excellency the Governor, B. Gratz Brown:

To the Honorable Speaker of the House of Representatives:

It becomes my duty to call your attention to the fact that by a decision of the Supreme Court of Missouri, rendered at the March term 1870, the sale of the interest of the State in the capital stock of the Bank of the State of Missouri made June 12, 1866, to James B. Eads, has been declared null and void, consequently the State is still the owner of this stock, amounting in the aggregate to \$1,036,300, or 10,863 shares.

By the terms of the sale thus invalidated the price to be paid by Mr. Eads was \$108 50 per share of \$100, in bonds and coupons of the State. It appears by the Treasurer's receipts that this price, amounting in the total to \$1,178,355, was paid into the treasury June 18th and July 14th, 1866, by Mr. Eads, in bonds and coupons, which have since been canceled and cannot therefore be returned. I herewith submit to you also a statement of facts in regard to the case tried before the Supreme Court which at my request has been prepared and furnished to me by the late Attorney General, Hon. R. F. Wingate. I am advised furthermore that the commissioner, Mr. Fogg, appointed to make sale of the stocks, testified that the opening of bids on the 4th day of June, 1866, the day fixed by him for receiving the same, the proposal of Mr. Eads to pay \$106 per share was the highest received by him, and that he so reported the fact to the Governor. It seems, however, that another proposal at a higher price was afterwards made to the Governor, and this becoming known, Mr. Eads also sent in ar

other bid on the 12th of June, 1866, for \$108 50 per share, which was approved by the Governor and placed on file in the office of the Secretary of State. The Supreme Court has decided that the sale made under this proposal was informal and void.

The magnitude of the State of the interests involved, together with the fact that the mobility of one of the great and important financial institutions of the commonwealth is materially affected, affords sufficient reason to justify the Executive in urging such prompt action in this matter as may be just and equitable.

In addition to which the consideration that the personal interests of a citizen of well known enterprise and standing in our State, and of others connected with him, are seriously impaired by the peculiar position in which they, as parties to this suit, have been placed by the decision rendered demands that relief should not be delayed by the General Assembly, the only source to which an appeal remains open.

The high character of Mr. Eads would seem to be of itself a sufficient guaranty that his action was prompted by good faith, but I may add for your information in the premises that no evidence whatever was introduced during the trial that would lead to any other inference, as the State cannot afford to deal unjustly with any person, I feel warranted in believing that the bonds or their equivalent paid by Mr. Eads to the State for this stock will be restored to him, or else that the sale, as approved by the Governor, will be promptly ratified by legislative action.

I am, very respectfully,

Your obedient servant,

B. GRATZ BROWN.

EXECUTIVE DEPARTMENT, January 20, 1871.

CITY OF JEFFERSON, January 18, 1871.

Hon. B. Gratz Brown, Governor of Missouri:

YOUR EXCELLENCY: I have the honor to be in receipt of your communication of this date, requesting of me "a brief statement of the facts relating to the stock owned by the State in the Bank of Missouri;" and in reply respectfully state, that the State of Missouri owned and held of the capital stock of the Bank of the State of Missouri 10,863 shares, or in amount \$1,086,300 00 distributed as follows:

\$100,000 00 held in trust for Seminary fund.

\$661,967 96 held in trust for the State School fund.

\$15,558 54 held in trust for the Sinking fund.

\$308,773 50 owned by the State in her own right.

Which stock, by an act of the General Assembly of the State of Missouri, approved March 5, 1866, was directed to be sold for the specific requirements of the act, in order to perfect the sale. Your Excellency is respectfully referred to the session acts of 1865-6, page 14, under which Mr. Fogg was appointed the State's agent to make the sale, and in pursuance thereof gave notice as required by the act that he would receive sealed proposals for the purchase of the stocks up to the 4th of June, 1866. Several proposals were submitted to him by Mr. James B. Eads and others, none of which being acted upon as required by the act. Mr. Eads afterwards, on the 12th day of June, 1866, and after the time had elapsed under the notice for making the same, submitted another proposal by which he offered \$108 50 per share of \$100 00 payable in the bonds and coupons of this State for the whole amount of the stock, which proposal the agent received and reported to the Governor, and recommended the

same for his approval, which the Governor accordingly did on the 13th of June, 1866, of which fact Mr. Eads was afterwards on the 29th of June, 1866, duly notified by the agent.

On the 30th of June, 1866, the bank declared a dividend on the stock amounting to \$104,410 77, payable on the 20th of July, 1866, at which time the Governor and the State Treasurer demanded payment of the same to the State, but the bank refused to pay the same to the State, because the same were claimed by Mr. Eads.

On the 14th of July, 1866, Mr. Eads completed his payment for the stock, amounting to the sum of \$1,178, 655 in the bonds and coupons of this State at their par value, and which bonds and coupons were called and are now in the State Treasury. And on the 27th of July thereafter, the Governor executed the transfer of the stock to Mr. Eads, and shortly thereafter directed the Attorney General to institute proceedings for the recovery of the dividends which had been so declared, which was accordingly done; and the circuit court having decided against the State, an appeal was prosecuted to the Supreme Court, when the judgment of the circuit court was reversed and a final judgment rendered in favor of the State and against the bank for the full amount of the dividends \$104,410 77 and costs, which was thereafter paid by the National Bank of the State of Missouri as the successor of the said Bank of the State of Missouri.

Mr. Eads paid into the Treasury for the stocks, bonds and coupons as follows :

Three hundred and eleven bonds Pacific railroad, Southwest Branch, bearing seven per cent.....	\$ 311,000
And 922 coupons, at \$35.....	32,270
One hundred and ninety-nine bonds, Pacific railroad, six per cent.....	199,000
And 2,006 coupons at \$30.....	60,180
One hundred and thirty bonds, six per cent., Southwest Branch, exchanged for seven per cent.....	134,000
And 1,053 coupons, at \$30.....	31,590
One hundred and twenty bonds, North Missouri railroad, six per cent.....	120,000
And 1,287 coupons, at \$30.....	38,610
One hundred bonds, St. Louis and Iron Mountain railroad, six per cent.....	100,000
And 1,116 coupons, at \$30.....	33,480
Fourteen bonds, Cairo and Fulton railroad, six per cent..	14,000
And 155 coupons, at \$30.....	4,650
Fourteen bonds, Platte County railroad, six per cent....	13,000
And 107 coupons, at \$30.....	3,210
Seventy-three revenue bonds, nine per cent.....	73,000
And 237 coupons, at \$45.....	10,665
	<hr/>
	\$1,178,655

The Supreme Court held the sale to Mr. Eads to be void, and to the opinion of the court, at page 532, of volume 45, of Missouri reports, your Excellency is respectfully referred for a more detailed statement of the facts involved and full vindication of the court's decision.

By virtue of the act of the Legislature above referred to, the Bank of the State of Missouri was reorganized as a national banking association under the laws of Congress, by the name of the "National Bank of the State of Missouri," which reorganization was had on the

first of November, 1866, and since which time several dividends have been declared on said stock held by the State by said National Bank, amounting to over \$400,000 00; and that after the decision of the Supreme Court above referred to, the State, through the Governor, State Auditor and Attorney General, demanded payment, and claimed to be unsettled to the dividends so declared by said National Bank, and at the same time requested and demanded of said National Bank that it, as required by said act of the General Assembly authorizing its organization as a national banking association, should issue to the State a certificate or certificates of stock for the stock so held by the State in said Bank of the State of Missouri, which demand the said National Bank refused to comply with, whereupon the State instituted a suit for the recovery of the dividends so refused to be paid, and also proceedings in the Supreme Court on the relation of the Attorney General to compel said National Bank, by *mandamus*, to issue to the State the certificate or certificates of stock as demanded, an alternative writ of *mandamus* was awarded by the court, but made returnable to the March term, 1871 of said Supreme Court, in order that legislation might be had whereby the interests involved should be protected.

I have the honor to be,

Very respectfully,

Your Excellency's humble serv't,
R. F. WINGATE.

Which was read.

Mr. Murray offered the following resolution:

Resolved, That 500 copies of the special message of the Governor and accompanying documents, just read, be printed for the use of the House, that the message and documents be referred to the Committee on Ways and Means, and that the committee be instructed to report at as early a day as practicable thereon by bill or otherwise;

Which was read.

Mr. Moore of Livingston, offered the following amendment:

Amend by striking out all after "resolved," and inserting as follows:

"That the message of the Governor concerning the sale of the State Bank stock, be referred to the Committee on Ways and Means, and 150 copies of the same and the communication of R. F. Wingate, be printed for the use of the House.

Mr. Shields offered the following substitute:

Resolved, That the Governor's message in regard to the sale of Bank stock to James B. Eads and the accompanying documents, be referred to a select committee of five, with instructions to report a bill to this House embodying the suggestions of the Governor, and report the same as soon as practicable;

Which was read.

Mr. Mitchell moved to amend the substitute by inserting "nine" instead of "five;"

Which was accepted, and, as accepted, adopted.

The Speaker laid before the House the following communication of the Committee on Permanent Seat of Government:

MR. SPEAKER: Your committee on Permanent Seat of Government, owing to the amount of business accumulating on their hands,

would respectfully ask that they be permitted to employ a clerk, the same to be paid for the time actually employed by said committee ;
Which was read and agreed to.

The Speaker laid before the House the following communication of the Engrossing Clerk, Mr. Mathews :

Hon. R. P. C. Wilson, Speaker of the House:

DEAR SIR: I have learned from the former Engrossing Clerk and Chief Clerk that as the House gets earnestly at work the Engrossing Clerk will require at least three assistants, and towards the latter part of the session, he will need several more. I, therefore, ask the privilege of appointing three assistants.

I should like immediate action on this, for when I was first elected, knowing I should need them, and wishing to secure good men, I appointed two who have been here on expense ever since awaiting your action ;

Which was read.

Mr. Buller offered the following resolution:

Resolved, That the Engrossing Clerk be permitted to employ such assistants clerks, not exceeding three in number, as he may require, to be paid at the rate of five dollars per day for the time during which they are actually employed ;

Which was read, and, on motion,

Postponed until Tuesday, January 24, 1871, at 2 P. M.

On motion of Mr. Bosbyshell,

The House adjourned until Monday, 3 o'clock, P. M.

MONDAY, JANUARY, 23, 1871.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

A call of the House being ordered, the following gentlemen answered to their names :

Messrs. Abbee, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Bunch, Butler, Chilton, Cloud, Coleman, Col-

lier, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Gates, George, Goodson, Hackman, Hammett, Hardin, Hickman, Hooper, Hutt, Kitchen, Lamson, Langston, Latshaw, Leeper, Martin of St. Louis, Maupin, Mabrey, Moore of Stone, Murray, Norris, O'Bannon of Pettis, Robinson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Walker, Wight of Vernon, Worden and Mr. Speaker—67.

Absent with leave—Messrs. Abington, Adams of Butler, Alsup, Asher, Auer, Beltrami, Bittinger, Bohn, Breazeale, Buckham, Bulkley, Buller, Burrows, Burton, Colcord, Crockett, Davis, Fassen, Frost, Girdner, Gratiot, Gray, Haas, Harmon, Howell, Hubbell, Knott, Koch, Kost, Leach, Logan, Marlin, Marshall, Martin of Caldwell, McAlister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Myers, Neal, Newman, O'Bannon of Dallas, Pauley, Pope, Raney, Randall, Ray, Richardson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Steele, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wilkes, Williams of Audrain, and Williams of Morgan—68.

Stick—Mr. Clark—1.

No quorum being present, the House,
On motion of Mr. Brown of Howard,
Adjourned until 10 o'clock to-morrow morning.

TUESDAY, JANUARY 24, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Bulkley, of Jefferson City.

The journal of yesterday was being read, when,
On motion of Mr. Samuel,
The farther reading of the journal was dispensed with.

The journal of Friday was being read, when,
On motion of Mr. Hutt,
The further reading was dispensed with.

The hour for the special order having arrived, being the consideration of the resolution offered by Mr. Mortell on Friday,

It was taken up.

Mr. Mortell moved to postpone the further consideration of the same until February 23, 1871, at 2 o'clock, P. M.

Mr. Brown of Howard offered the following amendment:

"Include all special orders of to-day;"

Which was accepted.

The motion, as amended, was then agreed to.

Mr. Thomas offered the following resolution:

Resolved, That the Speaker appoint a special committee of nine, one from each Congressional district, whose duty it shall be to revise the laws now in force in relation to the assessment and collection of the revenue, and to report a general bill at as early a day as possible, making the following changes in the mode of assessing and collecting the revenue, viz:

1st. The assessors elected in 1870 shall remain in office till the general election in 1872, but the assessors for 1871 and 1872 shall appoint for each municipal township in each county in the State one competent assessor, who shall be a resident of the township for which he may be appointed; *provided, however*, that the present assessor may act in his own township.

2d. At the general election in 1872, and every two years thereafter, an assessor for each township in each county in the State shall be elected.

3d. On the third Monday of August in each year, the township assessors shall meet at the court house in each county, and shall remain in session two days and no more, at which meeting they shall classify according to quality, improvements, etc., the lands to be assessed, and each township assessor shall specify opposite each tract of land the class to which it belongs. Said assessors shall fix the price per acre of the lands belonging to each class.

4th. The county and State boards of equalization shall be abolished.

5th. The offices of collector and sheriff in counties having a population of 10,000 inhabitants, or over, shall be separate.

6th. Lands and town lots shall be assessed by their numbers without names.

7th. All taxes whether State, county, school, road or other taxes, shall be placed on the same book opposite each tract of land.

8th. The general provisions of the Statutes of 1865, in relation to the sale and redemption of lands returned delinquent shall be restored, inserting a form of tax deed;

Which was read, and,

On motion of Mr. McMillan,

One hundred and fifty copies were ordered printed and made the special order for Friday next, the 27th.

Mr. Hardin offered the following resolution:

Resolved, That the members of the House return their sincere thanks to the citizens of St. Louis for the complimentary and elegant manner in which they were entertained at the banquet given to the Hon. Frank P. Blair upon his recent election to the United States Senate;

Which was read and adopted.

Mr. Hunt gave notice that he would, on to-morrow or some subsequent day, introduce a bill in relation to the rights of married women, exempting certain property from execution.

Mr. Mortell offered the following resolution :

WHEREAS, It is designed by the learned and eloquent divine, very Rev. P. J. Ryan, of St. Louis, to deliver a lecture in this city on the subject of "Paganism and Christianity;" be it therefore

Resolved by the House of Representatives, That this body tender to the very Rev. P. J. Ryan the free use of this hall on to-morrow evening for that purpose;

Which was read and adopted.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed that body

Senate bill No. 33, entitled

An act to authorize the Kansas City, St. Joseph and Council Bluffs Railroad to change the route of its railroad between the city of St. Joseph and the city of Savannah,

In which the concurrence of the House is respectfully requested.

Which was read.

Mr. Logan moved to lay the resolution offered by Mr. Mortell on the table;

Which was not agreed to, by the following vote :

AYES—Messrs. Alsup, Bass, Beltrami, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buller, Chilton, Coleman, Davis, Dean, Doak, Harmon, Hooper, Langston, Leeper, Logan, McAllister, Miller, Moore of Stone, Norris, O'Bannon of Pettis, Schooley, Sharp, Sides, Stancil, Von Kochtitzky, Wilkes and Williams of Morgan—31.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Brown of Monroe, Buckham, Butler, Cloud, Colcord, Collier, Crockett, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Hickman, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Latshaw, Leach, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Ming, Mortell, Murphy, Murray, Pauley, Pope, Raney, Ray, Richardson, Robinson, Ralston, Samuel, Sanford, Scoville, Shewalter, Sloan, Smith, Sorrell, Steel, Stone, Squires, Thomas, Turner, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—80.

Absent—Messrs. Asher, Bunch, Burrows, Clark, Marshall, McPike, Moore of Livingston, Myers, O'Bannan of Dallas and VanRoden—10.

Absent with leave—Messrs. Abington, Bulkley, Burton, Girdner, Gratiot, Mitchell, Mullings, Neal, Newman, Shafer, Shields, Walker and White of Texas—13.

Sick—Messrs. Edens and Randall—2.

On motion leave of absence was granted to Messrs. Burton, Mitchell, Walker and Burrows.

Mr. Richardson offered the following resolution :

Resolved, That two hundred and fifty copies of the report of the Adjutant General of Missouri be printed and separately bound for the use of the office of the Adjutant General, fifty copies of which shall be delivered to the retired Adjutant General;

Which was read.

The following message from the Senate was received by its Secretary, Mr. Hendricks:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body,

Senate concurrent resolution No. 12, concerning the geological report as made by Professor Albert D. Hager,

In which the concurrence of the House is respectfully requested.

Mr. Goodson moved to lay the resolution offered by Mr Richardson on the table;

Which was agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Bell, Beltrami, Borg, Bosbyshell, Bradshaw, Breazeale, Brown from Howard, Brown from Monroe, Bul-ler, Butler, Chilton, Coleman, Collier, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Eubanks, Fassen, Gates, Goodson, Haas, Hackman, Hammett, Hardin, Hickman, Hooper, Howell, Hutt, Kitchen, Koch, Kost, Langston, Leach, Leeper, Logan, Martin of Caldwell, McAllister, Miller, Norris, O'Bannon of Pettis, Ranney, Ralston, Samuel, San-ford, Schooley, Sharp, Sides, Sloan, Smith, Stancil, Stone, Squires, Thomas, Wielandy, Worden and Mr. Speaker—68.

NOES—Messrs. Barrett, Bass, Bennett, Bittinger, Buckham, Cloud, Colcord, Crockett, Dolman, Frost, George, Gray, Harmon, Hubbell, Knott, Lamson, Latschaw, Marlin, Martin of St. Louis, Maupin, Mabrey, McMillan, Ming, Moore of Stone, Mortell, Murphy, Pauley, Pope, Ray, Richardson, Robinson, Scoville, Shewalter, Sorrell, Steele, Turner, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—42.

Absent—Messrs. Asher, Bohn, Bunch, Burrow, Clark and Murray—6.

Absent with leave—Messrs. Abington, Bulkley, Burton, Girdner, Gratiot, Marshall, McPike, Mitchell, Moore of Livingston, Mullings, Myers, Neal, Newman, O'Bannon of Dallas, Randall, Shafer, Shields, VanRoden, Walker and White of Texas—20.

Sick—Mr. Edens.

Mr. Dod offered the following resolution :

Resolved, That the propriety of adding to the general appropriation bill six thousand dollars for the Board of Agriculture be suggested to the committee on Ways and Means ;

Which was read and, on motion,
Referred to the Committee on Ways and Means.

Mr. Pope offered the following resolution:

Resolved, That two thousand additional copies of the Report of the Insane Asylum be ordered to be printed for the use of the asylum;

Which was read.

Mr. Samuel offered the following amendment:

Amend by striking out two thousand and insert one, provided the price of the additional number be reduced from the price paid for the original number ordered printed;

Which was read.

Mr. Hardin moved to refer the resolution to Committee on Lunatic Asylum;

Which was not agreed to.

The resolution as amended was then adopted.

Mr. Samuel offered the following resolution:

Resolved, That the pay of the various clerks employed by this House shall be in accordance to and in compliance with the General Statute Law governing the same, chapter eight, section four and five, General Statutes of Missouri, and for such time only as they may be actually in the employ of said body;

Which was read, and, on motion,

Referred to the Committee on Accounts.

Mr. Martin offered the following resolution:

Resolved, That the Commissioner of Permanent Seat of Government be and he is hereby authorized to make the necessary repairs and alterations and furnish chairs at the Speaker's and Clerk's desks, so as the better to facilitate the business of this House; the same to be paid out of the Contingent Fund;

Which was read and adopted.

Mr. Wielandy offered the following resolution:

WHEREAS, The Hon. Norman J. Colman, formerly a member of this House from the county of St. Louis, has, upon the request of the State Board of Agriculture, expressed by an unanimous vote of that body, consented to address the members of this Legislature upon the subject of a Stock Law and other matters of importance connected with the agricultural interests of this State;

AND WHEREAS, That distinguished agriculturist and gentleman is now present in this city for the purpose of fulfilling the engagement he has assumed;

Resolved, That the use of this Hall be tendered to Col. Norman J. Colman, on Thursday night, for the purpose above set forth;

Which was read and adopted.

Mr. Buller offered the following resolution:

Resolved, That the resolution to appoint a special committee to revise the revenue and assessment law which was adopted by the House on last Friday, be reconsidered;

Which was read and agreed to.

On motion of Mr. Buller,

The same was referred to the Committee on Ways and Means.

Mr. Stone presented a petition of the Anchor Fire and Marine Insurance Company, the American Central Insurance Company and Citizens' Insurance Company, asking for the repeal of section ten of chapter ninety of the Revised Statutes of Missouri;

Which was read.

Mr. Thomas offered the following resolution:

Resolved, That the present condition of things in Missouri requires a new Constitution, more in accordance with the spirit of the times, and in order that there may be more safeguards thrown around the liberties of the people, it is expedient to call a Constitutional Convention, and the Committee on Constitutional Amendments be and they are hereby instructed to report a bill for that purpose at as early a day as possible;

Which was read, and on motion,

Made special order for Thursday at 11 o'clock A. M.

Mr. Sorrell, chairman of Committee on Permanent Seat of Government, submitted the following report:

To the Honorable the Speaker of the House of Representatives:

Your committee, to whom was referred certain resolutions in reference to committee rooms, have had the same under consideration, and beg leave to report as follows:

There are but three rooms now fitted up in which committees can meet, viz: Room Nos. 8, 9 and 10 in the basement.

Room No. 7 is used as a carpenter shop and lumber room. It would answer for *some* committees if cleaned and furnished. Rooms 26 and 27, on the first floor, are used as private offices and sleeping apartments by the judges of the Supreme Court. Your Committee believe these rooms are absolutely necessary for the use of the Enrolling and Engrossing Clerks, and being unable to find any legal authority for their being occupied as at present, respectfully suggest that they be at once furnished for the use of said clerks. There are also two rooms used by the Secretary of State for storing books and stationery, one of which we believe necessary for him to retain.

With reference to the rooms now filled with the accumulated public laws and documents, your committee can only say that having visited said rooms, they found them to contain some 30,000 or more volumes, that they are not prepared to say what proportion, if any, are worthless, or what disposition to make of them without further investigation, and on this point wish further time in which to make a special report.

They would further state that the passages or hall of the basement are cumbered with useless articles, empty boxes, etc., which should be removed.

Your committee would respectfully submit the following with reference to committees until additional rooms can be furnished or procured, viz:

That the committees occupy the rooms in the following order:

Room No. 8.—Committees on Justice of the Peace, Roads and Highways, Local Bills and County Boundaries.

Room No. 10.—Committees on Judiciary, Criminal Jurisprudence, Ways and Means and Banks and Corporations.

Room No. 17.—Committees on Internal Improvements, Elections, Claims and Accounts.

Room No. 9.—Committees on Permanent Seat of Government, Manufactures, Mines and Mining and Immigration.

Library room.—Committees on Federal Relations, Education, Agriculture and Library.

In suggesting the foregoing, your committee has aimed to so group the committees as to accommodate them in room only; that is, giving the more important ones the large rooms.

The following resolution is respectfully submitted:

Resolved, That the Commissioner of Public Buildings be and is hereby instructed to notify the Judges of the Supreme Court, now in possession of Rooms Nos. 26 and 27, that said rooms are necessary for the use of the clerks of the House of Representatives, and request that they be vacated without delay; that he also notify the Secretary of State to remove the stationery and books from Room No. 17; and that said Commissioner at once furnish said rooms in a suitable manner, for the use of clerks and committees; that said Commissioner proceed without delay to remove the carpenter shop from Room No. 7, and fit it up for the use of committees, and the useless lumber, boxes, etc., be removed from the halls of the building, under the instruction of the Committee on Permanent Seat of Government.

On motion of Mr. Hardin,

The House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Frost moved to reconsider the vote by which a portion of the Governor's message in regard to the Indian Territory, was referred to a special committee of nine.

On motion of Mr. Smith,

The consideration was postponed until Friday, 11 o'clock, A. M.

The special order of the day, being the consideration of Mr. Butler's resolution, offered on Friday last,

Was taken up.

Mr. Knott offered the following amendment:

"Provided that no assistant clerk shall be employed until there is an actual necessity for such."

On motion of Mr. Hardin,

The resolution and amendment was referred to the Committee on Enrolled Bills.

Mr. Thomas introduced a bill entitled

An act to change the time of holding courts in the 15th judicial circuit;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bennett, Bittering, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Butler, Chilton, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Leach, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Stone, Mortell, Murphy, Murray, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—106.

NOES—None.

Absent—Messrs. Asher, Bell, Bunch, Burrows, Clark, Dent, Koch, Latshaw, Marlin, Marshall, McAllister, Moore of Livingston, Mullings, Randall and Stancil—15.

Absent with leave—Messrs. Bulkley, Burton, Girdner, Gratiot, McPike, Myers, Neal, Newman, O'Bannon of Dallas, Shafer, Shields, Walker and White of Texas—13.

Sick—Messrs. Beltrami and Edens—2.

Mr. Stone introduced a bill entitled

An act appropriating money to pay the indebtedness incurred in the furnishing of lumber to the Missouri Penitentiary in May, 1861; Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Claims.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed that body :

Senate bill No. 6, entitled

An act to refund to the German St. Vincent Association seven hundred and eleven and 41-100 dollars;

In which the concurrence of the House is respectfully requested.

Mr. Eubanks introduced a bill entitled

An act to amend section one of chapter three, General Statutes, concerning estates of homesteads ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Edwards introduced a bill entitled

An act to extend the time for the completion of a railroad bridge across the Missouri river at St. Charles ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Cloud introduced a bill entitled

An act to repeal an act entitled an act defining the powers of the county court of counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Smith introduced a bill entitled

An act to call a Constitutional Convention ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Constitutional Amendments and 150 copies ordered printed.

Mr. Brown of Howard introduced a bill, entitled,

An act to amend section four, chapter eighty-three ; also section nine, chapter eighty-three, amended '67, approved March 11th, 1867, of the General Statutes of Missouri ;

Which was read the first time, the rules suspended, read a second time, and on motion,

Referred to Committee on Agriculture.

Mr. Stone gave notice that he would on to-morrow or some subsequent day, introduce a bill to consolidate the city and county of St. Louis charter under one government.

Mr. Robinson introduced a bill, entitled,

An act to amend section one of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24, 1870.

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Local Bills.

Mr. Mabrey gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled,

An act supplemental to a bill to revive in part, and amend an act entitled, an act providing for the improvement of rivers, approved February 24, 1855, and an act amendatory thereto, approved November 15, 1855, approved, January 22, 1859, and to appoint commissioners.

Mr. Hubbell introduced a bill, entitled,
An act to provide a uniform system of registration, and repealing,
all former acts;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Elections, and 150 copies ordered printed.

Mr. Richardson gave notice that he would to-morrow or some subsequent day, introduce a bill from the Committee on Claims, providing for the adjustment of and liquidation of the unpaid war debt of Missouri, consisting of the claims of soldiers who rendered service in the Enrolled Missouri Militia, who lost horses in said service.

Mr. Edwards gave notice that he would on to-morrow or some subsequent day, introduce a bill to amend sections one, two and six, of the General Statutes of Missouri, concerning costs.

Mr. Goodson gave notice that he would on to-morrow or some subsequent day, introduce a bill to amend the city charter of the city of Macon, in the county of Macon, in this State.

Mr. Squires gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled, an act to amend section twelve of chapter forty-one, of the General Statutes of Missouri entitled, of the incorporation of towns, election and power of trustees, etc.

Mr. Samuel gave notice that he would on to-morrow or some subsequent day, introduce a bill to amend sections first, twenty-two, twenty-five, fifty-four, etc., of chapter fifty-six of the General Statutes, and add a new section to said chapter.

Mr. Wielandy gave notice that he would to-morrow or some subsequent day introduce a bill,

Creating a new circuit, to be called the twenty-fourth judicial circuit;

Also, an act entitled,

An act for the preservation of game, and to prevent the destruction of small birds.

Mr. Pauley gave notice that he would to-morrow or some subsequent day, introduce a bill, entitled,

An act regulating merchant's license.

Mr. Wight of Vernon, gave notice that he would to-morrow or some subsequent day, introduce a bill,

To amend sections one and two of chapter two hundred and seventeen of the General Statutes of the State of Missouri, in regard to the custody and management of the estates of convicts.

Mr. Dod gave notice that he would to-morrow or some subsequent day, introduce a bill,

To amend section forty-three, chapter twelve, General Statutes of Missouri, providing that taxpayers be allowed to deduct all *bona fide* debts from the amount of moneys and credits required to be listed by them for taxation.

Mr. Crockett gave notice that he would on to-morrow or some subsequent day, introduce a bill

Repealing section forty-three, chapter thirteen, General Statutes of the State of Missouri, requiring the collector of revenue to put a copy of the personal delinquent list in the several townships ten days before the third Monday of January, approved March 10, 1870.

Mr. Uolcord offered the following resolution:

WHEREAS, The seat of the Hon. N. M. Bell is contested on the ground of ineligibility, and

WHEREAS, The contestant is willing to rest his case upon the testimony of the contestee; and

WHEREAS, Said contestee has so far declined to make any answer to the allegations of said contestant, that he, the said contestee, is ineligible under the Constitution and laws of this State; therefore be it

Resolved, That the Committee on Elections be, and the same are hereby authorized and instructed to inquire into the alleged ineligibility of the Hon. N. M. Bell, with power to send for persons and papers.

Resolved, That the Hon. N. M. Bell be, and is hereby requested to appear before said Committee on Elections, then and there to testify in the matter of said contest.

Which was read.

On motion of Mr. Thomas,

The House adjourned until ten o'clock to-morrow morning.

WEDNESDAY, JANUARY 25, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Fugh of Jefferson City.

The journal of yesterday was being read, when,

On motion of Mr. Thomas,

The further reading of the journal was dispensed with.

Mr. Smith offered the following resolution:

Resolved, That the Hall of the House of Representatives be and the same is hereby granted, on the evening of February 2d, 1871, to

Mrs. Mary A. Livermore and Miss Phoebe Cousins for the purpose of delivering lectures on Female Education;

Which was read.

The ayes and noes having been demanded, the resolution was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Chilton, Cloud, Collier, Crockett, Davis, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Lamson, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Norris, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shewalter, Smith, Sorrell, Steele, Stone, Squires, Thomas, Turner, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—97.

NOES—Messrs. Abbee, Borg, Boshyshell, Coleman, Dean, Dolle, Edens, Fassen, Hackman, Kost, Latschaw, McAllister, Myers, O'Bannon of Pettis, Sharp, Sides, Sloan, Van Roden, Von Kochtitzky and Wilkes—20.

Absent—Messrs. Bulkley, Burton, Butler, Colcord, Gratiot, Moore of Livingston, Murray, O'Bannon of Dallas, Shafer, Shields, Stancil and Wielandy—12.

Sick—Messrs. Clark, Dent and Knott—3.

Absent with leave—Messrs. Marshall, McPike, Neal and Newman—4.

Mr. Walker offered the following resolution:

Resolved, That W. T. Smith, ex sheriff of Bates county, be relieved from paying to the State Treasurer \$1,236 53, amount placed by him in the bank of Ohas. B. Dunbaugh for safe keeping, and that the State may receive only its pro rata share in the settlement of this firm, now in bankruptcy;

Which was read and referred to Committee on Claims with instructions to report by bill or otherwise.

Mr. Worden offered the following resolution:

Resolved, That the use of this Hall is reserved exclusively for legislative purposes, except that its use may be extended to persons delivering lectures upon subjects upon which we are interested as legislators.

Mr. Bittinger moved to lay the resolution on the table.

The ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Buck-

ham, Bunch, Burrows, Cloud, Dolman, Eubanks, Fassen, Frost, George, Haas, Hardin, Hickman, Hooper, Hubbell, Lamson, Langston, Leach, Martin of Caldwell, Martin of St. Louis, McMillan, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Norris, O'Bannon of Pettis, Pope, Randall, Ray, Richardson, Robinson, Rolston, Scoville, Shewalter, Smith, Steele, Thomas, Turner, Walker, White of Texas, Wilkes, Williams of Morgan and Mr. Speaker—57.

NOES—Messrs. Abington, Adams of Butler, Alsup, Barnes, Bass, Bell, Beltrami, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Chilton, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Edens, Edwards, Gates, Goodson, Gray, Hackman, Hammett, Harmon, Howell, Kitchen, Koch, Kost, Latshaw, Leeper, Logan, Maupin, Mabrey, McAllister, Myers, Raney, Samuel, Sanford, Schooley, Sharp, Sides, Sorrell, Stancil, Stone, Squires, Van Roden, Von Kochtitzky, Wight of Vernon, Williams of Audrain and Worden—55.

Absent—Messrs. Bohn, Bulkley, Burton, Butler, Clark, Colcord, Dent, Girdner, Gratiot, Hutt, Knott, Marlin, Marshall, McPike, Moore of Livingston, Murray, O'Bannan of Dallas, Pauley, Shafer, Shields, Sloan and Wielandy—22.

Absent with leave—Messrs. Neal and Newman—2.

Mr. Davis offered the following resolution :

Resolved, That after the first day of February next the use of this Hall shall not be granted for any purpose except legislation—the legitimate purpose for which it was built ;

Which was read.

Mr. Leeper offered the following amendment :

Amend by adding that this Hall be used for legislative purposes only, and no privileges will be hereafter granted to any person to lecture or hold concerts, festivals or other public demonstrations therein ;

Which was read.

Mr. Edwards called for the regular order of the day, being the consideration of Mr. Colcord's resolution offered on yesterday ;

Which was taken up.

Mr. Stone rose to a point of order, which was that no testimony shall be received by the justices, Senate or House of Representatives on the part of the contestor or contestee which does not relate to the points specified in the notice, a copy of which notice, attested by the person who delivered or served the same, shall be delivered to said justices, and by them transmitted with the depositions, and no testimony, except that contained in the depositions taken before the justices, shall be received as evidence either by the Senate or House of Representatives, and the resolution was consequently not within the jurisdiction of the House.

The Speaker decided the point of order well taken and the resolution could not be entertained.

Mr. Borg presented a petition of the trustees of the German Protestant Orphans' Home, asking exemption from taxation ;

Which was read.

Mr. Logan presented a petition of the citizens of Carroll county, praying that the county court of said county be authorized to issue their warrant of \$390 in favor of one George Burkhard ;

Which was read, and, on motion,
Referred to the Committee on Local Bills.

The Speaker laid before the House the following communication from the Secretary of State, Mr. Eugene F. Weigel :

STATE OF MISSOURI, OFFICE OF SECRETARY OF STATE, }
CITY OF JEFFERSON, January, 1871.

To the Honorable the Speaker of the House of Representatives :

SIR: Having been notified by Mr. Rice, the Commissioner of the Permanent Seat of Government, to remove the stationery, etc., from room No. 17 of the capitol, in order that the same might be used as a committee or clerk's room, I beg leave to submit the following reasons why it is desirable that the action of your honorable body in connection therewith should be reconsidered.

The room in question has always been attached to the office of the Secretary of State, and the tendency of things is certainly not such as to permit of a curtailing of the space allotted to this office. It is used by me to hold the edition of the Missouri Reports, published by Louis Houck, and purchased by the State under the act approved March 16, 1870, at a cost of eleven thousand dollars. These books are valuable, and should certainly not be stowed away in the damp vaults of the capitol, subject to mould and mildew ; but under your resolution I shall be obliged to put them there, as I have no other dry room at my disposal.

Hoping your honorable body will be pleased not to insist on the carrying out of the resolution before referred to,

I remain,

Very respectfully,

Your obedient servant,

EUGENE F. WEIGEL,

Secretary of State.

Which was read, and, on motion,

Referred to the Committee on Permanent Seat of Government.

Mr. Edwards offered the following resolution :

Resolved, That the Judges of the Supreme Court are hereby requested by the House of Representatives to give their opinion upon the following questions of constitutional law, to wit: Has the General Assembly power to provide for the election or appointment of officers to be known as "Associate Justices of the Supreme Court," or by some other suitable designation, whose functions shall be substantially defined as follows :

1. To sit with the Judges of the Supreme Court and hear all causes coming before that tribunal in course of law.

2. To consult and advise with the said judges touching the determination of such causes, and of the points of law which may arise therein.

3. To reduce to writing the opinion of the court in any such cause, in proper form for publication in the authorized reports of decisions.

4. To have no authoritative voice nor vote in the adjudication of any cause, nor any official authority or control touching any act

proper to be done by the court; the functions of such associate justices to be purely auxiliary, and without any participation in the original constitutional powers expressly conferred on the Judges of the Supreme Court;

Which was read and

Referred to Committee on Judiciary.

Mr. Kost offered the following resolution :

Resolved, That a special committee of nine, one from each congressional district, be appointed by the Speaker, to whom shall be referred all matters pertaining to insurance;

Which was read and adopted.

Mr. Knott offered the following resolution :

Resolved, That the Committee on Printing be instructed to inquire into and report to the House by what authority of law the public printing is now being done, and also whether existing laws in relation to prices to be paid for same, have been and are being complied with;

Which was read and adopted.

On motion, leave of absence for one day was granted Mr. Sutton, Chief Clerk.

Mr. Burrows offered the following resolution :

Resolved, That when public documents are ordered printed for the use of this House, and the same shall have been received by the folders, an equal distribution of the same shall be made by him to the members of this House;

Which was read.

Mr. Brown of Howard, offered the following amendment:

Amend by directing that the pages are directed to distribute among the members at their desks, beginning with No. 1;

Which was read and accepted.

Mr. Knott offered the following amendment :

Amend by striking out "folder," and insert "doorkeeper;"

Which was accepted.

Mr. Thomas offered the following amendment:

Amend by adding: "And each member is hereby required to inform the doorkeeper by to-morrow of the number of each public document already received by him;"

Which was not agreed to.

Mr. Adams of Butler, offered the following substitute :

Strike out all after the word "resolved," and insert the following: "It shall be the duty of the doorkeeper to have all public documents equally distributed among the members and officers;"

Which was read and adopted.

On motion of Mr. Edwards,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Barrett introduced a concurrent resolution entitled
Concurrent resolution instructing our Representatives and Senators to favor the re-apportioning Congressional districts in this State;
Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Butler, Chilton, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Loeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, and Williams of Audrain—110.

Absent—Messrs. Asher, Bass, Buckley, Burton, Clark, Cloud, Dean, Dent, Edens, Knott, Marshall, Maupin, McPike, Moore of Livingston, O'Bannon of Dallas, Shafer, Shields, Stancil, Wielandy, Williams of Morgan, Worden and Mr. Speaker—22.

Sick—Messrs. Bradshaw and Gratiot—2.

Absent with leave—Messrs. Neal and Newman—2.

Mr. Stone gave notice that he would to-morrow or some subsequent day introduce a resolution adding to the Standing Committees of the House a Committee on Insurance.

Mr. Von Kochtitzky introduced a concurrent resolution entitled
Concurrent resolution instructing the Adjutant General to sell arms belonging to the State;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Militia.

Mr. Pope introduced a concurrent resolution entitled

Concurrent resolution instructive as to the improvements of the Osage river;

Which was read the first time, the rules suspended, read the second time.

Mr. Richardson, chairman of Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House resolution No. —,

To purchase the gas fixtures now used in the Hall of the House of Representatives,

Have had the same under consideration, and instructed me to report it back to the House with the accompanying substitute, and recommend its passage.

Resolution to pay Seigel & Bobb for the gas fixtures, chandeliers and brackets used in the Hall of the House of Representatives and adjoining offices.

Resolved, That the Commissioner of the Permanent Seat of Government be authorized and required to settle with Seigel & Bobb for the gas fixtures, chandeliers and brackets now used in the Hall of the House of Representatives and adjoining offices.

2. That upon the certificate of said Commissioner to the amount agreed upon as the price of said fixtures, the Auditor of Public Accounts is hereby authorized and required to issue his warrant on the State Treasurer for said amount so certified, taking the receipt of Seigel & Bobb, with bill of items charged, and the amount so paid shall be charged to the contingent fund of the House of Representatives;

Which was read.

Mr. Knott moved that the matter be recommitted to the committee, with instructions to report to the House by bill, stating the amount to be appropriated for that purpose;

Which was read and adopted.

Mr. Hutt introduced a bill entitled

An act to exempt certain property from the debts of the husband, and to exempt property of the husband from the debts of the wife contracted before marriage;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Logan introduced a bill entitled

An act to elevate the standard of the medical profession in Missouri, and to protect the citizens from empiricism;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Benevolent and Scientific Institutions.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body:

Senate concurrent resolution No. 15, entitled

Providing for the appointment of a joint committee to revise the laws in relation to the assessment and collection of revenue;

In which the concurrence of the House is respectfully requested

Mr. Banks introduced a bill entitled

An act to amend section eleven of chapter forty-one, General Statutes of Missouri, concerning the incorporation of towns and election and power of trustees, etc.;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Walker, chairman of Committee on Elections, submitted the following report:

To the Honorable Speaker of the House of Representatives:

Your Committee on Elections to whom was referred the case of Joseph Pulitzer, contestor against Nicholas M. Bell, contestee, and sitting member from the county of St. Louis, having had the same under consideration, beg leave to return the papers in said case with report that there is no case before them.

The report was read and agreed to.

Mr. George gave notice that he would on to-morrow, or some subsequent day, introduce a bill to amend chapter one hundred and thirteen of the General Statutes of Missouri, relating to marriage and marriage contracts.

Mr. Mortell introduced a bill entitled

An act to carry into effect section thirty-three, article four, providing for suits against the State;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Crockett introduced a bill entitled

An act to repeal section two of an act entitled an act to amend sections twenty-four, forty-three, forty-four, forty-five, forty-six, fifty-two and sixty, of chapter thirteen, and also section sixteen of chapter ten of the General Statutes of the State of Missouri, in relation to collection of revenue, approved March 10, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that there has been introduced into the Senate and passed that body a bill of the following title:

Senate bill No. 8, entitled

An act to amend section one of chapter forty-one of the General Statutes, entitled "of the incorporation of towns, election and power of trustees," etc.;

In which the concurrence of the House is respectfully requested

Mr. Walker, chairman of Committee on Elections, submitted the following majority report:

To the Honorable Speaker of the House of Representatives:

Your Committee on Elections, to whom was referred the case of J. B. Colgrove, contestor, *vs* J. H. Bohn, contestee, and sitting member from the county of Benton, having had the same under consideration, beg leave to make the following report:

That it appears in evidence, that at the election held in Benton county on the 8th of November, 1870, there were cast nine hundred and thirty-six votes for representative, of which J. B. Colgrove received four hundred and sixty, and J. H. Bohn four hundred and seventy six.

The committee find that at said election there was much informality and non-compliance with the law, especially in Williams township was this apparent, where the judges kept the ballot-box open most of the day, and in their returns to the county clerk made a fraudulent return.

Your committee are of the opinion that for the above non-compliance with the law, the vote of Williams' township should be thrown out, and so recommend.

The vote would stand as follows: J. B. Colgrove three hundred and forty-eight, J. H. Bohn three hundred and sixteen, which would give J. B. Colgrove a majority of thirty two votes.

We are, of the opinion therefore, that Mr. Bohn is not entitled to a seat in this body, and would recommend for adoption the following resolution:

Resolved, That J. H. Bohn, the contestee and sitting member from the county of Benton is not entitled to the seat he now occupies in 26th General Assembly of Missouri.

Mr. Kost, from Committee on Elections, submitted the following minority report:

To the Honorable Speaker of the House of Representatives:

The undersigned, a minority of your Committee on Elections, to which was referred the case of Jas. B. Colgrove, contestor, against John H. Bohn, contestee and sitting member from Benton county, beg leave to submit their views in writing, as follows:

The contestor made but two points as furnishing the grounds for his right to the seat claimed by him in the 26th General Assembly:

1st. That the returns from Williams township were false and fraudulent.

2d. That the returns from said Williams township were illegal and void.

Upon the first point we find that whilst there were but 274 names on the poll books there were 276 ballots cast for Lieutenant Governor showing a discrepancy of two votes. We find, however, that there were but 272 ballots cast for Representative, showing that if there was a mistake in the counting it was not in the office of Representative.

The evidence shows also that one of the judges of election, after the returns were made, signed a protest against issuing the certificate of election to the contestee, but we also find that said protest was written by the contestor, that undue influences were used to obtain the judge's signature, and that he afterwards testified he signed the protest because fraud had been charged upon them and he wanted a full investigation to show the world that no fraud had been practiced.

The contestor offered a number of witnesses to prove that they did not vote for Representative at all, and many others to prove that they voted for Jas. B. Colgrove; but as the ballots themselves are the only admissible evidence upon these points, and as these ballots were neither before your committee or the justices who conducted the contest, we decline to consider the matter.

Upon the second point we find that the ballot box was 12 $\frac{1}{2}$ inches long, 7 $\frac{1}{2}$ wide and 4 $\frac{1}{2}$ deep, with a sliding lid and a hole cut through it to admit the ballots; that the ballots were large and the box about noon became too full to admit more, when by unanimous consent of the judges the box was opened and the ballots pressed down by one of the judges; that afterward the box again became full, when by the same consent the lid was slipped back a little and the ballots pushed in.

A ballot was received and placed in the box, but the name of the voter was found to be scratched upon the books of registration, when the judges took the ballot out as illegal and placed it under the box; afterwards the name was again found, numbered and not scratched, whereupon the ballot was returned to the box.

Two of the judges and the clerks opened the polls after dinner before the arrival of the third judge, and upon such arrival were receiving the first ballot.

The ballot box was left unsealed and without any person to guard it whilst the officers retired for dinner and supper, but the windows were securely fastened, the door safely locked and the key carried by one of the judges, and everything found by the officers on their return in precisely the same condition they were left.

An improper person, neither officer of election nor sworn at all, was permitted to read off the names on one or two ballots at the request of the calling judge, who had become hoarse, but who stood by and looked over the ballots so called. Said person was also permitted to take the place of one of the clerks who had become exhausted and sick, and assist in keeping the tally. Although condemning such irregularities on the part of the judges of election, as being contrary to the law, and laying such officers liable, yet we believe the sections of law so violated are merely directory, and their violation does not vitiate the election. And as fraud was not even charged, much less shown in such irregularities, we cannot find sufficient reason for throwing out the vote of Williams township, thereby disregarding the will and rights of 272 legal voters. We therefore recommend the adoption of the following:

Resolved, That John H. Bohn, sitting member from Benton county, is entitled to the seat he now occupies in the 26th General Assembly.

Pending a decision of which,

(On motion of Mr. George,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, JANUARY 26, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Hurlbert, of Jefferson City.

The journal of yesterday was being read, when,
On motion of Mr. Edwards,
The further reading of the journal was dispensed with.

On motion of Mr. Leeper,
The regular order of the day was suspended, and the House resumed the consideration of the report submitted by the Committee on Elections, in the case of Colgrove *vs.* Bohn.

The hour for the special order having arrived, being the election of a Chaplain of the House,
It was taken up, and, on motion,
It was postponed until 2 o'clock, P. M.

The hour for the special order having arrived, being the consideration of Mr. Thomas' resolution,
It was taken up, and, on motion,
It was postponed until Tuesday, 11 o'clock, A. M.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed that body

Senate bill No. 27, entitled

An act repealing the acts establishing the Kansas City Court of Common Pleas.

In which the concurrence of the House is respectfully requested.
Which was read.

The House resumed the consideration of the report of the Committee on Elections.

Mr. Gates offered the following substitute for the majority and minority report of the Committee on Elections:

Substitute for the majority and minority reports of the Committee on Elections in the case of James B. Colgrove *vs.* John H. Bohn.

Resolved, That it is the sense of this House that no member should hold a seat in this legislative body where fraud or gross irregularities have been perpetrated in the election, or that he has not received a majority of the legal votes cast at said election.

Resolved, That John H. Bohn, the present sitting member in this House from Benton county, is not entitled to the seat he now occupies as a member of the 26th General Assembly of Missouri.

Resolved, That James B. Colgrove, contestant, is not entitled to a seat in this House from the county of Benton in the 26th General Assembly.

Resolved, That the Speaker of the House be instructed to inform the Governor that there is a vacancy in this House in the representation from the county of Benton.

Resolved, That John H. Bohn be allowed the usual mileage and pay of a member of this House up to this time.

Resolved, That James B. Colgrove be allowed the usual mileage and pay of a member of this House up to this time.

Which was read.

Mr Richardson offered the following amendment :

Amend the substitute by striking out all after the word "resolved" and insert the following :

1st. That the seat of the sitting member of this House from Benton county be and is hereby declared vacant, and that the contested election case of Colgrove against Bohn be referred back to the people of said county for a new election.

2d. That the Speaker of this House be requested to inform the Governor of said vacancy in the office of Representative in said county, that his Excellency may order a special election in said county at as early a day as practicable.

3d. That James B. Colgrove be allowed by the Committee on Accounts the usual mileage and per diem as other members of this House.

Which was read.

The Speaker laid before the House the following communication from the late Superintendent of Public Schools, Hon. T. A. Parker :

JEFFERSON CITY, Mo., January 24, 1871.

Hon. R. P. C. Wilson, Speaker of the House of Representatives :

SIR: I have the honor herewith to submit the fifth annual report from the Department of Education. I take the liberty of specifying its chief features. They are, First, The usual statistical compilations giving a very satisfactory exhibit of the present condition of public schools. Second, Reports from the different State Institutions. Under the law of February 8, 1870, the reports of the Curators of the State University, of the Trustees of the Deaf and Dumb Asylum, and of the Institution for the Education of the Blind are to be included in the annual report of the Superintendent of Public Schools. For the first time they thus appear, and constitute a very important interest to every citizen of the State. The able and exhaustive paper of the President of the State University is especially entitled to careful consideration, as it must necessarily have much influence in the future education of those who shall attend the University. Third, The condition of the respective counties is fully set forth in tabular and descriptive form, followed by an analytic presentation of the various school funds and the operations of the Board of Education in the recovery of the large amounts of misapplied school moneys.

Which was read.

(See Appendix.)

On motion of Mr. Thomas,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The Speaker announced the special order for 2 o'clock the election of a Chaplain.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed by that body :

Senate bill No. 15, entitled

An act to refund money to the Board of Managers of the Roman Catholic Male and Female Orphan Asylum.

Senate bill No. 25, entitled

An act to amend section one of chapter twenty-one of the General Statutes of Missouri.

Also that the Senate has taken up House concurrent resolution No. 13, entitled

Resolution instructing our Representatives and Senators to favor the re-apportionment of Congressional districts in this State,

And passed the same with the inclosed amendment, in which the concurrence of the House is respectfully requested.

Which was read.

The Speaker declared nominations for Chaplain to be in order.

Mr. Barrett nominated Mr. Pugh.

Mr. Wilkes nominated Mr. Roberts.

Mr. Dean nominated Mr. Sappington.

Mr. Wielandy nominated Mr. Huber.

Mr. Burrows nominated Mr. Hurlbert.

Mr. Brown of Howard nominated Mr. Bulkley.

Mr. Neal nominated Mr. Allen.

On motion, leave of absence was granted to Messrs. Alsup, Bulkley and Haas.

There being no further nominations, the House proceeded to vote with the following result:

FOR REV. MR. PUGH—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bosbyshell, Bradshaw, Brown of Howard, Coleman, Gates, Gray, Hammett, Howell, Hutt, Knott, Latshaw, Leeper, Maupin, Mabrey, McPike, Ming, Murray, Richardson, Samuel, Sanford, Sides, Sorrell, Stone, Squires, Thomas, Turner, Walker, Williams of Audrain, Worden and Mr. Speaker—35.

FOR REV. MR. ROBERTS—Messrs. Abbee, Breazeale, Marlin, Miller, Moore of Stone, Myers, Norris, O'Bannon of Dallas and Wilkes—8.

FOR REV. MR. SAPPINGTON—Messrs. Abington, Bass, Beltrami, Bennett, Bittinger, Buckham, Butler, Chilton, Davis, Dean, Doak, Edens, Edwards, Frost, Girdner, Hubbell, Kitchen, Martin of St. Louis, Mitchell, Murphy, O'Bannon of Pettis, Randall, Ray, Rolston, Scoville, Smith, Stancil, White of Texas and Wight of Vernon—29.

FOR REV. MR. HUBER—Messrs. Adams of Gentry, Asher, Auer, Borg, Buller, Clark, Collier, Crockett, Dent, Dolle, Dolman, Fassen, Hackman, Hardin, Harmon, Hickman, Kost, Lamson, Leach, Logan, Martin of Caldwell, McAllister, Moore of Livingston, Pauley, Pope, Ranev, Robinson, Sharp, Shields, Steele, Van Roden, Von Kochutzky and Wielandy—33.

FOR REV. MR. HURLBERT—Messrs. Burrows, Schooley and Williams of Morgan—4.

FOR REV. MR. ALLEN—Mr. Neal—1.

FOR REV. MR. BULKLEY—Messrs. Bell, Brown of Monroe, Cloud, Dod, Eubanks, Hooper, Langston, Marshall, McAllister and Shewalter—10.

Whole number of votes cast.....	120
Necessary to a choice.....	61

None of the candidates having received a majority of the votes cast, the House proceeded to a second ballot, the names of Messrs. Roberts, Hulbert and Bulkley being withdrawn:

FOR REV. MR. PUGH—Messrs. Abington, Adams of Butler, Applegate, Barnes, Barrett, Bell, Bosbyshell, Brown from Howard, Brown from Monroe, Coleman, Gates, Gray, Hammett, Howell, Hutt, Knott, Latshaw, Leach, Leeper, Marshall, Maupin, Mabrey, McPike, Ming, Murray, Ray, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Sorrell, Squires, Thomas, Turner, Walker, Williams from Audrain, Worden and Mr. Speaker—40.

FOR REV. MR. SAPPINGTON—Messrs. Ballard, Beltrami, Bennett, Bittinger, Buckham, Butler, Chilton, Davis, Dean, Doak, Edens, Eubanks, Frost, Girdner, Haas, Hubbell, Kitchen, Miller, Mitchell, Murphy, Myers, Newman, Norris, O'Bannon of Pettis, Randall, Rolston, Scoville, Smith, Stancil, Stone, Wight of Vernon and Wilkes—32.

FOR REV. MR. HUBER—Messrs. Abbee, Adams of Gentry, Asher, Auer, Borg, Bradshaw, Breazeale, Buller, Burrows, Clark, Cloud,

Collier, Crockett, Dent, Dod, Dolle, Dolman, Edwards, Fassen, Hackman, Hardin, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Logan, Marlin, Martin of Caldwell, Martin from St. Louis, McAllister, McMillan, Moore from Livingston, Moore from Stone, Neal, O'Bannon of Dallas, Pauley, Pope, Raney, Robinson, Schooley, Sharp, Shields, Steele, Van Roden, Von Kochtitzky, Wielandy and Williams from Morgan—49.

Absent—Messrs. Bohn, Colcord and White of Texas—3.

Absent with leave—Messrs. Bass, Bulkley, Burton, Koch, Mortell, Mullings and Shafer—7.

Excused—Messrs. George and Goodson—2.

Sick—Messrs. Alsup, Bunch and Gratiot—3.

None of the candidates having received a majority of the votes cast, the House proceeded to a third ballot, with the following result :

Whole number of votes cast.....	121
Necessary to a choice.....	61

FOR REV. MR. PUGH—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bell, Bosbyshell, Brown of Howard, Brown of Monroe, Coleman, Edwards, Gates, Gray, Hammett, Hardin, Howell, Hutt, Knott, Latshaw, Leach, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Murray, Newman, Ray, Richardson, Samuel, Sanford, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Walker, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—49.

FOR REV. MR. SAPPINGTON—Messrs. Beltrami, Bennett, Bittinger, Buckham, Butler, Chilton, Davis, Deam, Doak, Edens, Eubanks, Girdner, Haas, Hubbell, Kitchen, Miller, Myers, Norris, O'Bannon of Pettis, Randall, Rolston, Scoville and White of Texas—23.

FOR REV. MR. HUBER—Messrs. Abbee, Abington, Adams of Gentry, Asher, Auer, Borg, Bradshaw, Breazeale, Buller, Burrows, Clark, Cloud, Collier, Crockett, Dent, Dodd, Dolle, Dolman, Fassen, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Logan, Marlin, Martin of Caldwell, McAllister, McMillan, Moore of Livingston, Moore of Stone, Murphy, Neal, Pauley, Pope, Raney, Robinson, Schooley, Sharp, Shields, Steele, Van Roden, Von Kochtitzky, Wielandy, Wilkes and Williams of Morgan—48.

Absent with leave—Messrs. Bass, Bulkley, Burton, Frost, Koch, Mortell, Mullings and Shafer—8.

Absent—Messrs. Bohn, Colcord and O'Bannon of Dallas—3.

Sick—Messrs. Alsup, Bunch and Gratiot—3.

Excused—Messrs. George and Goodson—2.

None of the candidates having received a majority of the votes cast, the name of Mr. Sappington was withdrawn, and the House proceeded to a fourth ballot with the following result:

FOR REV. MR. PUGH—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bosbyshell, Brown of Howard, Brown of Monroe, Butler, Chilton, Coleman, Davis, Dean, Doak, Edens, Edwards, Eubanks, Gates, Girdner, Gray, Hammett, Hardin, Howell, Hutt, Knott, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Murray, Myers, Newman, Ray, Richardson, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Walker, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—60.

FOR REV. MR. HUBER—Messrs. Abbee, Abington, Adams of Gentry, Asher, Auer, Bittering, Borg, Bradshaw, Breazeale, Buller, Burrows, Clark, Cloud, Collier, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Haas, Hackman, Harmon, Hickman, Hooper, Hubbell, Kitchen, Kost, Lamson, Langston, Leach, Logan, Marlin, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Murphy, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Robinson, Ralston, Scoville, Sharp, Shields, Steele, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Williams of Morgan and White of Texas—60.

Absent—Messrs. Bass, Bohn, Buckham, Bunch, Burton, Colcord, Frost, George, Goodson, Gratiot, Koch, Mortell, Mullings, and Shafer—14.

Absent with leave—Messrs. Alsop and Buckley—2.

Total number of votes cast	120
Necessary to a choice	61

Neither candidate having received a majority of all the votes cast, no election occurred for Chaplain.

The Speaker laid before the House the following message of the Governor:

To the Twenty-sixth General Assembly:

SENATORS AND REPRESENTATIVES: In conformity with that article of the Constitution, which provides that the Governor shall from time to time recommend to the consideration of the General Assembly such measures as he shall deem necessary and expedient, I would represent—

I. That the present statute law on the subject of divorce, and the looseness which attends its construction, as well as the practice under it by the courts, tends very greatly to destroy the marriage relation and impair the foundations of purity and virtue in the community. What was originally held to be only an extreme remedy for cases where crimes incompatible with conjugal life had been committed, has degenerated into a frequent severance, varnished by the form of law, granted upon most frivolous pretenses, with insufficient

procedures to verify allegation often attended by collusion, and generally by an ill-defined discretion of the judge. It is believed by many who are most conversant with the practice in divorce cases, that the law, as it stands, invites many applications for relief of this kind that need not have resulted in any such destruction of domestic life, and that such a result is one that can never have been designed any by wise legislation, scarcely needs to be affirmed. That the subject is one involved in much difficulty, and that the remedies are far from plain, even after the most careful investigation, is perfectly true; yet that society will surrender its very right of self-protection in those elements most essential to its maintenance, if resistance be not made to the laxity which year by year is increasing in this direction, is equally true.

Without undertaking to discuss at length the varied modifications through which the present status of the law has been arrived at, it may be sufficient to say that the multiplication of causes of divorce has grown out of special enactments designed to cover isolated cases rather than from any well embodied public opinion demanding a change, and it is only a callousness to public morality that has permitted them to assume the shape of general statute. But surely when the frequency of such cases is becoming the scandal of our courts, when the limited term that is accounted desertion makes them tournament grounds for the unfaithful of other States, when the omnibus clause, that embraces any indignities which may render the condition intolerable, opens up a latitude of construction to any judge that may nullify any marriage, it will not be held unworthy of your consideration, to inquire if some substantial barrier may not be interposed.

The prominent characteristic of any right law of divorce should be, that it will not hold out any inducement to a husband or wife, dissatisfied with the condition, to secure a divorce in order to marry some one else. For this reason absolute divorce should be confined substantially to those acts which have in all times been held as a sufficient cause in morals and in law. The chief of these is adultery, and if its commission be offence so grave as to disrupt the most intimate, enduring compact of life, then it should be made penal, and the same judgment that grants release to one party who is innocent, should visit punishment on the other who may be guilty. This would render the averments more truthful, would operate as a restraint on conduct, which now goes unpunished and makes the courts scrupulous as to proofs received in evidence. Prohibition from marrying again for a term of years, now left to be fixed by judges at will, should also be made peremptory as part of the decree; and any subsequent marriage of the party proven guilty with the participator in such connection should be forbidden. If it shall be deemed essential to preserve in the statute the recital of less grievous offences against the family constitution that do not altogether preclude the hope of reconciliation, they may be provided for by a measure of separation from bed and board, only to be converted into dissolution of wedlock after a specified time upon renewed application. This would probably rectify very many estrangements and misunderstandings that are now precipitated into permanent divorce. The one year's absence, called desertion, which is so frequently now used as a cloak for many other reasons, that incite persons to seek divorce, might well be extended without danger or injustice, and all ex-parte proceedings should be hedged in with better protection to the absent, equally as to notice and as to proofs. Some States require the testimony of two

credible witnesses in behalf of the good character and residence of the applicant, prohibit a hearing in chambers or elsewhere than in open court, and preclude the granting divorce on the ground of misconduct until one year after commencement of suit. The general scope of all these changes, it will be perceived, is first to abolish the frivolous and inconsequent grounds on which divorces are now as readily obtained in the courts of our State; and second to interpose delays in various forms, recognizing it to be true that all delays can only tend toward reconciliation. And if it be the interest of society, and the duty of law, as the guardian of society, to protect, maintain and defend the marriage relation, then will both be best consulted by changes that should render less facile the severance of the bond.

II. The establishment of reformatories for juvenile crime is a subject that has occupied much legislative attention, and the attempts made in that direction in our State, have so far met with indifferent success. This has, perhaps, resulted in great measure from the fact that the institutions were mostly of purely local character, that the criminal and charity classes were not properly separated, and that the management could not command such comprehensive policies as were essential to success. In several of our large cities, and especially in St. Louis, there are Houses of Refuge, designed for reformation, under a good management, so far as supervision goes; but they fail to effect moral elevation amongst the inmates for the reasons named. This difficulty, which almost puts at defiance the best endeavor of municipal control in caring for the waifs of society, should be remedied. The whole State is a party to every honest effort to diminish crime, and the child that is rescued from vice and made a good citizen, will repay a reasonable charge in the premises. The burden, therefore, of the criminal and correctional part of such institutions, should not be thrown altogether upon the localities where crime has its rendezvous. I would suggest, therefore, the establishment of a House of Refuge, under the auspices of the State, at some interior point that may be made the receptacle of juvenile delinquents, where they may be instructed in agricultural pursuits; and that may thus relieve the necessity, which now exists, of commingling the distinct classes in the same place of confinement. Under proper regulation, removed from contiguity with old association, disciplined long enough to establish new habits of industry, there are few of those usually sent to such establishments who could not be put in a fair way for thorough reformation. If this is done and organized under a system which shall look to abode there, not for any protracted term, as a general rule, but rather to dispersion throughout the State, upon the application of parties willing to take them as apprenticed help, the great incentive to relapse into vice would be almost entirely obliterated. The only successful experiments in the reform of young criminals have been of this character, as will be attested by all who have had experience in the matter. Trivial larcenies are usually the offenses for which the young are apprehended, but removal to new surroundings where there is no inducement to steal, no fence houses at which to convert his theft into gain, no facilities for concealment, even if disposed still to purloin, and the promptings which may have induced a first fault disappear at once, supplanted by other aspirations which light up his life into true reformation. There is never found any difficulty in placing advantageously such children; and thus managed, your House of Refuge, instead of being constantly full, would be continuously drawn upon. The nursery of crime, too, will be thus broken up, a nursery that now so largely recruits your penitentiary. Railroads,

distance, association, congenial employment will solve the problem, that local philanthropy, or houses of mere correction, cannot solve. The State will have made some approximation towards a more correct method of dealing with its dangerous classes, by substituting prevention for punishment, and social education for the demoralization of a mere prison discipline.

As intimately connected with the same subject of reformatories, correctional houses, asylums, jails, and indeed all charities, supported in whole or in part by public appropriations, I would lay before you the propriety of constituting by law a Board of Guardians or Supervisors, who shall have the right, and whose duty it shall be to inspect, make communications in regard to, and report upon all such establishments. It would go far to create an intelligent, scrutinizing public opinion, acting in consistent direction, giving advice or warning where needed, exposing abuses to the proper authority, and unifying the best methods of treatment. If proper persons should fill such a commission, removed from mercenary considerations, I am satisfied that much good would redound to the State, many thousands of dollars in expense be saved, and the benefit of progressive thought, and science and education be brought to bear upon their works.

III. In regard to two of the acts of the last General Assembly, establishing new departments in the administration of affairs, I would suggest the propriety of revision and amendment. That in relation to a Mining, Metallurgical and Geological Bureau, is one. The importance of a thorough and searching geological survey of our State cannot be too strongly insisted upon, and no reasonable expense should be spared to obtain it, and obtain it promptly. If, however, it be the wish to do this, and it be designed (as every section of the law would seem to imply) that the Board of Managers shall take an active, direct control of the character and progress of the work, then the present board is too large to be efficient, and its number should be reduced. Otherwise it will resolve itself into sub-committees, become indifferent in part, infrequent in meetings, trivial in discussion, and the practical control of expenditure, publication, plan and execution will soon devolve upon a single appointee of the Board. This result would be by no means desirable, and might, in the end, defeat much of the good anticipated from the survey itself, besides entailing a protracted expenditure that the people of the State will not justify.

The act in regard to the Insurance Department should likewise be amended. The different branches of that business—one relating to life insurance and the other embracing fire and marine insurance—are so totally distinct in character that they ought to be under distinct supervision. The information and experience required for sagacious control of the latter is no guarantee of the necessary qualifications to regulate the former; and the reverse is also true. This change may be easily effected without impairing the efficiency of the department. In another respect, also, the law is entirely defective, and gives no power to correct the grossest abuse of the trust confided in the Commissioner, if he should be disposed to do wrong. At least this is manifestly so during the recess of the General Assembly, for the section which authorizes the Commissioner to appoint his deputy also provides that in case the former shall be suspended from office, his deputy shall perform all the duties and be Commissioner in fact during the time of such suspension. Thus, by collusion between the two, or in case of malfeasance on the part of the deputy, when thus situated, there is no authority vested anywhere to restrain his

action, or prevent any injury he may choose to inflict. The interests involved in the honorable discharge of the duties of this department are of too great magnitude to be left in such an unprotected state. The anomaly no doubt originated in the haste of legislation at the close of a session; but it should be at once corrected. An amendment providing for a personal examination by the Commissioner, and an examination of the liabilities of all companies desiring to do business in this State, before authorization; and also an amendment to prevent life companies of this or other States from continuing to do business when their capital stock is impaired to one-fifth of the same, leaving their deposit with the department so as to secure our people against deficiency of assets, would afford much additional protection, and, it is believed, would not be inconsistent with the scope and intent of the original law.

IV. Your attention is also invited to the preparation of a more perfect revenue system. The detail of changes in that behalf cannot well be suggested in this communication; but the necessity of revision is so imperative, the defects so numerous, and the care requisite in adjustment so great, that it should be entered upon at the earliest moment, to secure any successful issue.

All of which is respectfully submitted,

B. GRATZ BROWN.

Which was read.

On motion of Mr. Leach,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, JANUARY 27, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The journal of yesterday was read and approved.

Mr. Knott offered the following resolution:

Resolved, That the Rev. Mr. Huber and Rev. Mr. Pugh be declared Chaplains of the House, to serve week about, and to receive the usual per diem for the time they may respectively officiate in that capacity; Which was read and adopted.

Mr. Martin offered the following resolution:

Resolved, That we, the Representatives of the 26th General Assembly, hereby tender to the Very Reverend Father Ryan our sincere acknowledgments and best thanks for the instructive and eloquent discourse delivered by him before the members of the House on the night of the 25th inst., and we hereby express a hope that it may be convenient to that reverend gentlemen to honor us with another lecture;

Which was read and not agreed to.

Mr. Stone offered the following resolution:

Resolved, That article IV, section I of the rules and orders of the House of Representatives be amended by adding "a Committee on Insurance," to be numbered 30, and to consist of seven members, whose duty it shall be to take into consideration all reports, memorials, propositions and bills relating to fire and marine or life insurance, to examine the laws in relation to insurance, together with such bills and propositions as to them shall seem expedient.

Pending the decision of which,

The hour for the special order having arrived, being the consideration of the resolution offered by Mr. Thomas in regard to revenue reform;

Which was taken up and,

On motion of Mr. Frost,

Referred to Committee on Ways and Means.

Mr. Frost asked the unanimous consent of the House to withdraw his motion to reconsider the vote by which some portions of Governor J. W. McClurg's message in reference to Indian Territory were referred to a special committee of nine.

There being no objections made, it was granted.

The House resumed the consideration of the report of the Committee on Elections in the contested election case of J. B. Colgrove vs. Jno. H. Bohn.

On motion of Mr. Shields,

The House adjourned until 2 o'clock P. M.]

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body:

Senate bill No. 19, entitled

An act to establish the 24th judicial circuit;

Senate bill No. 21, entitled

An act to establish the criminal court of Jackson county;

Senate bill No. 28, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in Jackson county, and all the acts and parts of acts amendatory thereof;

Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county; and defining his powers and duties;

And Senate bill No. 24, entitled

An act establishing a probate court in the county of Jackson;

In which the concurrence of the House is respectfully requested;
Which was read.

Mr. Mortell rose to a question of privilege, commenting upon the address of the Hon. Jno. B. Henderson, delivered before this House on the 17th inst.

The hour for the regular order having arrived, being the appointment of a committee to investigate the affairs of Ex-Treasurer Bishop, Was taken up.

Mr. Barrett moved to postpone indefinitely the resolution to appoint a committee of five to investigate the charges against Ex-Treasurer Bishop.

The ayes and noes having been demanded by Messrs. Cloud and Abbee, it was not agreed to by the following vote:

AYES—Messrs. Adams of Gentry, Barrett, Beltrami, Borg, Bosbyshell, Brown of Howard, Collier, Davis, Dean, Dent, Dolle, Dolman, Eubanks, Gates, Girdner, Haas, Hackman, Hammett, Hickman, Kitchen, Knott, Martin of Caldwell, McAllister, McMillan, Moore of Stone, Neal, Richardson, Schooley, Smith, Squires, Von Kochtitzky, Wielandy and Worden—32.

NOES—Messrs. Abbee, Adams of Butler, Applegate, Asher, Auer, Ballard, Barnes, Bennett, Bittinger, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Crockett, Dent, Doak, Dod, Edens, Edwards, Frost, George, Goodson, Gray, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sides, Sorrell, Steele, Stone, Thomas, Van Roden, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, and **Mr. Speaker**—83.

Absent—Messrs. Bell, Bohn, Bradshaw, Breazeale, Brown of Monroe, Bulkley, Newman, Koch and Shewalter—9.

Absent with leave—Messrs. Abington, Alsup, Bass, Fassen, Logan, Sloan and Turner—7.

Sick—Messrs. Buckham, Bunch, Gratiot, Mullings and Stancil—5

On motion, leave of absence was granted Mr. Fassen for one day.

On motion, leave of absence was granted Mr. Logan for three days.

On motion, leave of absence was granted Mr. Pope for one day.

On motion, leave of absence was granted Mr. Turner for five days.

Mr. Knott offered the following resolution:

Resolved, That the resolution be referred to the Committee on Ways and Means, with instructions to report to the House whether in their judgment there is necessity for or just reasons why such an investigation should be had;

Which was read and adopted.

The regular order being the consideration of the report of the Committee on Elections in the case of Colgrove *vs.* Bohn,

It was taken up.

By unanimous consent, Mr. Richardson withdrew his amendment to the substitute offered by Mr. Gates.

Mr. Kost, of the minority of the Committee on Elections, offered the following amendment to the majority report:

Resolved, That John H. Bohn, sitting member from Benton county, is entitled to the seat he now occupies in the Twenty-sixth General Assembly;

Which was read and agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bennett, Bittinger, Borg, Breazeale, Buller, Burrows, Clark, Cloud, Colcord, Crockett, Dent, Dod, Dolle, Dolman, Frost, George, Haas, Hackman, Harmon, Hickman, Hooper, Hubbell, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Marlin, Marshall, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Murray, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Raney, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Steele, Thomas, Van Roden, Wight of Vernon, Wilkes, Williams of Audrain, and Worden—63.

NOES—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Beltrami, Brown from Howard, Burton, Butler, Chilton, Coleman, Collier, Davis, Dean, Doak, Edens, Edwards, Eubanks, Gates, Girdner, Goodson, Gray, Hammett, Hardin, Howell, Hutt, Knott, Leeper, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Murphy, Myers, Randall, Ray, Richardson, Samuel, Sanford, She-walter, Sorrell, Stone, Squires, Von Kochtitzky, Walker, Wielandy, White of Texas, and Williams of Morgan—50.

Absent—Messrs. Bell, Bosbyshell, Brown from Monroe, Mortell and Mr. Speaker—5.

Absent with leave—Messrs. Abington, Alsup, Bass, Bradshaw,

Bulkley, Fassen, Logan, Mullings, Neal, Newman, Pope, Sloan and Turner—13.

Sick—Messrs. Buckham, Bunch, Stancil and Gratiot—4.

Excused—Mr. Bohn—1.

The substitute offered by Mr. Gates was not agreed to.

The question then recurred on the majority report of the committee;

Which was agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Ballard, Bennett, Bittinger, Borg, Breazeale, Buller, Burrows, Clark, Cloud, Colcord, Crockett, Dean, Dent, Dod, Dolle, Dolman, Edwards, Frost, George, Haas, Hackman, Harmon, Hickman, Hooper, Hubbell, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leach, Marlin, Marshall, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Murray, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Raney, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Steele, Thomas, Van Roden, Wight of Vernon, Wilkes, Williams of Andrain, and Worden—67.

NOES—Messrs. Adams of Butler, Applegate, Barnes, Barrett, Beltrami, Brown of Howard, Burton, Butler, Chilton, Coleman, Collier, Davis, Doak, Edens, Eubanks, Gates, Girdner, Goodson, Gray, Hammett, Hardin, Howell, Hutt, Knott, Leeper, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mitchell, Murphy, Myers, Randall, Ray, Richardson, Samuel, Sanford, Shewalter, Sorrell, Stone, Squires, Von Kochtitzky, Walker, Wielandy, White of Texas, and Williams of Morgan—47.

Absent—Messrs. Bell, Bosbyshell, Brown of Monroe, Bunch, Mortell and Sloan—5.

Absent with leave—Messrs. Abington, Alsup, Bass, Bradshaw, Buckham, Fassen, Logan, Mullings, Newman, Pope, Stancil and Turner—12.

Sick—Messrs. Bulkley and Gratiot—2.

Not voting—Mr. Bohn and Mr. Speaker—2.

Mr. Richardson offered the following resolution:

Resolved, That the Committee on Accounts be and is hereby instructed to allow James Colgrove the same mileage and per diem as other members of this General Assembly, to the present date, January 27, 1871;

Which was read.

Mr. Borg moved to lay the resolution on the table.

The ayes and nays having been demanded, was not agreed to by the following vote:

AYES—Messrs. Abbee, Borg, Breazeale, Bulkley, Burrows, Clark, Cloud, Davis, Hickman, Hooper, Hutt, Lamson, Langston, Marlin, Miller, Murphy, Norris, O'Bannon of Dallas, Raney, Ralston, Schooley, Smith, Stone, Van Roden, Von Kochtitzky, White of Texas, Wilkes and Worden—29.

NOES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Brown of Howard, Buller, Burton, Chilton, Colcord, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hubbell, Kitchen, Howell, Knott, Koch, Kost, Latshaw, Leach, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Murray, Myers, Neal, O'Bannon of Pettis, Pauley, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sorrell, Steele, Squires, Thomas, Walker, Wielandy, Wight of Vernon, Williams of Audrain and Williams of Morgan—85.

Absent—Messrs. Bell, Bohn, Bosbyshell, Butler, Mortell and Sloan—7.

Absent with leave—Messrs. Abington, Alsup, Bass, Bradshaw, Brown of Monroe, Bunch, Fassen, Logan, Martin of Caldwell, Mullings, Newman, Pope, Stancil and Turner—14.

Sick—Messrs. Buckham and Gratiot—2.

The resolution was adopted.

The following message from the Senate was received by its Secretary, Mr. Hendrick.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House bill No. 3,

Entitled an act to amend an act entitled an act to establish the twenty-third judicial circuit, and to provide for the election of a judge and circuit attorney, and for other purposes,

And passed the same with enclosed amendments:

Also, House concurrent resolution No. 6, entitled

Concurrent resolution requesting an amendment to the homestead law of May 20th, 1862;

Which was read.

Mr. Stone offered the following resolution:

Resolved, That the Committee on Accounts be and are hereby instructed to allow Joseph Pulitzer, late a contestant for the seat of Hon. N. M. Bell, the usual per diem and mileage of a member of the House of Representatives up to the 25th day of January, inst., being the day on which the Committee on Elections made their report;

Which was read.

On motion of Mr. Adams of Butler,

The House adjourned until 10 o'clock to-morrow morning.

SATURDAY, JANUARY 28, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Abington,
The further reading was dispensed with.

Mr. Neal introduced a concurrent resolution entitled
Concurrent resolution instructing our Senators and Representatives in Congress to vote for a law allowing pensions to the soldiers of 1812, and the widows of those deceased;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Federal Relations.

On motion of Mr. Harmon,
Senate bill No. 8, entitled
An act to amend sections of chapter 41 of the General Statutes entitled "of the incorporation of towns, elections and power of trustees," etc.,
Was taken up, read the first time, the rules suspended, read the second time, and on motion,
Referred to the Committee on Banks and Corporations.

Mr. Von Kochtitzky introduced a bill entitled
An act to define the time of holding court in the fourteenth and twenty-second judicial circuits;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Rolston introduced a bill entitled
An act in reference to the jurisdiction of mayors of towns;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Banks and Corporations.

Mr. George introduced a bill entitled
An act to amend chapter one hundred and thirteen of the General Statutes relating to marriage and marriage contracts;
Which was read the first time, the rules suspended, read the second time and, on motion,
Referred to Committee on Judiciary, and one hundred and fifty copies ordered printed.

Mr. Mullings introduced a concurrent resolution entitled
Concurrent resolutions instructing our Senators and requesting

our Representatives in Congress to use their influence to secure a reduction of duties on imports to a revenue basis ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Federal Relation.

Mr. Wielandy introduced a bill entitled

An act to amend section sixteen of chapter two hundred and twenty-one Revised Statute of the State of Missouri ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Penitentiary.

Mr. Thomas introduced a bill entitled

An act to establish a State Industrial School ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred with portion of Governor's message touching that subject to the Committee on Benevolent and Scientific Institutions, and one hundred and fifty copies ordered printed.

Mr. Leeper introduced a bill entitled

An act to amend chapter fifty-two, title nineteen, General Statutes of Missouri, and to provide for the opening and repairing of roads and highways and bridges, and to repeal certain parts of said chapter ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means, and two hundred copies ordered printed.

Mr. Edwards introduced a bill entitled

An act to repeal an act to amend chapter forty-nine of the General Statutes of Missouri, concerning school lands, approved February 2, 1870 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Bittinger introduced a bill entitled

An act to create the office of Public Printer and to prescribe the duties thereof ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Printing and 150 copies ordered printed.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your committee to whom was referred

Senate bill No. 31,

Have had the same under consideration, and have instructed the chairman to offer the following substitute and recommend that it do pass ;

Which was read ;

Senate bill No. 31, entitled

An act to appropriate money,

Was taken up, together with an amendment by way of substitute recommended by the committee.

The rules were then suspended, the bill read the third 'time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pauley, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sauford, Schooley, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—112.

NOES—None.

Absent—Messrs. O'Bannon of Dallas, Pope, Shafer, Sloan, and Turner—5.

Absent with leave—Messrs. Alsup, Bass, Bohn, Borg, Bradshaw, Brown from Monroe, Bulkley, Fassen, Logan, Mortell, O'Bannon of Pettis, Scoville, Stancil and Steele—15.

Sick—Messrs. Buckhām, Bunch, Gratiot and Koch—4.

On motion, leave of absence was granted to Mr. Kitchen for five days.

On motion, leave of absence was granted to Mr. O'Bannon of Pettis, for three days.

On motion, leave of absence was granted to Mr. Scoville for four days.

On motion of Mr. Gates,
Senate bill No. 19, entitled

An act to establish the 24th judicial circuit,

Was taken up, and was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Liv-

ingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pauley, Randall, Ray, Richardson, Robinson, Ralston, Samuel, Sanford, Schooley, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams from Andrain, Williams of Morgan, Worden and Mr. Speaker—107.

NOES—None.

Absent with leave—Messrs. Alsup, Asher, Auer, Barnes, Bass, Bohn, Bradshaw, Brown of Monroe, Buckham, Bulkley, Bunch, Edens, Fassen, Gratiot, Koch, Kost, Logan, Mortell, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Scoville, Shafer, Sloan, Stancil, Steele and Turner—28.

Excused—Mr. McMillan—1.

On motion, leave of absence was granted to Mr. Rolston for three days.

On motion of Mr. Hutt,
The House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Gates moved to reconsider the motion to lay on the table by which Senate bill No. 19 was passed;

Which was agreed to.

Mr. Gates moved to refer Senate bill No. 19 to the Committee on Judiciary;

Which was agreed to.

On motion of Mr. Adams of Butler,

House bill No. 3,

Was taken up, and Senate amendments concurred in.

On motion of Mr. Gates,

Senate bill No. 21, entitled

An act to establish the Criminal Court in Jackson county,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary with instructions to report on Monday next at 11 o'clock, A. M.

On motion of Mr. Gates,
Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county, and defining his powers and duties,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, with instructions to report on Monday next.

On motion of Mr. Gates,
Senate bill No. 24, entitled

An act establishing a Probate Court in the county of Jackson,

Was taken up, and read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, with instructions to report on Monday next at 10 o'clock, A. M.

On motion of Mr. Gates,
Senate bill No. 28, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in Jackson county, and all the acts and parts of acts amendatory thereof,

Was taken up, and read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary, with instructions to report on Monday next at 11 o'clock, A. M.

Mr. Walker introduced a bill entitled

An act in relation to towns and cities of a population less than ten thousand;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Samuel offered the following resolution:

Resolved, That fifteen thousand copies of the report of the Commissioner and Superintendent of the Deaf and Dumb Asylum be printed separate from the report of the State Superintendent of Common Schools, for the use of said institution and officers.

(See Appendix.)

Which was read and adopted.

Mr. Wielandy introduced a bill entitled

An act for the preservation of game and to prevent the destruction of small birds;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture, and 200 copies ordered printed.

Mr. Pauley introduced a bill entitled

An act to amend sections two of chapter ninety-three of General Statutes of Missouri, in relation to merchants' licenses;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Manufactures.

Mr. Colcord introduced a bill entitled

An act for the relief of Francis H. Dinkelman;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Wright of Vernon introduced a bill entitled

An act to amend sections one and two of chapter two hundred and seventeen of the General Statutes concerning the custody and management of the estates of convicts;

Which was read the first time, the rules suspended, read the second time, and, on motion

Referred to the Committee on Criminal Jurisprudence.

Mr. Mabrey introduced a bill entitled

An act to appoint commissioners and authorize them to receive and expend certain monies heretofore appropriated for the improvement of Current river;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Butler, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Neal, Newman, Norris, Pauley, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shewalter, Shields, Sides, Smith, Sorrels, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wieland, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden, and Mr. Speaker—99.

NOES—None.

Absent—Messrs. Auer, Ballard, Bass, Beltrami, Bohn, Borg, Bulkley, Koch, Mullings, O'Bannon of Pettis, Pope, Rolston, Scoville, Sharp, Sloan, Stancil, Steele, and Turner—18.

Absent with leave—Messrs. Alsup, Bradshaw, Brown of Monroe, Fassen, George, Girdner, Gratiot, Knott, Logan, Marshall, Martin of St. Louis, McMillan, Ming, Mortell, Myers, O'Bannon of Dallas, and Shafer—17.

Sick—Messrs. Buckham and Bunch—2.

Mr. Sorrels, from the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred House bill No. 8, beg leave to report that they have had the same under consideration, and respectfully submit the following substitute, with the recommendation that it do pass.

House bill No. 8,

Was taken up together with an amendment by way of substitute as recommended by the committee.

On motion of Mr. Bittinger,

The further consideration of the bill was postponed until Wednesday, February 1, and made special order for 11 o'clock that day.

Mr. Bosbyshell gave notice that he would, to-morrow or some subsequent day, introduce a bill to provide for the better protection of life and limb in public buildings hereafter to be built.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was recommended

House resolution and substitute proposing to pay Seigel & Bobb for gas fixtures, chandeliers and brackets now used in the Hall of the House of Representatives,

Have had the same under consideration, and on re-examination have come to the satisfactory conclusion that said Seigel & Bobb have never been paid for said fixtures.

Therefore, said committee have instructed me to report the accompanying resolution as a substitute, and recommend its passage:

Resolution to pay Seigel & Bobb for gas fixtures, chandeliers and brackets now used in the Hall of the House of Representatives and adjoining offices.

1st. That the Auditor of Public Accounts be, and he is hereby authorized and required to draw his warrant upon the State Treasurer in favor of Seigel & Bobb, for the sum of eight hundred and eight dollars, and charge the same to the Contingent Fund of the House of Representatives.

2d. That before said warrant is issued as required in the first resolution, Seigel & Bobb shall file with the Auditor their bill of items, setting forth the fixtures, chandeliers and brackets now used and ordered to be paid for; which bill shall be certified to by the Commissioner of the Permanent Seat of Government and countersigned by the chairman of the Committee on Claims of the House of Representatives;

Which was read and adopted.

Mr. Barrett moved to take up House concurrent resolution No. 18, to concur in Senate amendment.

The resolution was taken up and the following amendment was read:

Amend by adding to the second resolution the following: "and to each Senator and Representative from the State of Missouri.

The amendment of the Senate was agreed to.

Mr. Brown of Howard, gave notice that he would to-morrow or

some subsequent day introduced a bill entitled an act to adjust certain debts and damages between the State of Missouri and the South Pacific Railroad Company.

Mr. Bell offered the following resolution :

Resolved, That when the House of Representatives adjourns, it adjourns to meet at 7½ o'clock P. M. this evening ;

Which was read, and on motion,
Laid on the table.

Mr. Neal introduced a bill entitled

An act to amend section six, of chapter one hundred and seventy-seven, of the General Statutes, relating to jurisdiction of justice's courts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Justices of the Peace.

Mr. Maupin, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred

House concurrent resolution No. 11, entitled

Concurrent resolution in relation to the organization of an Indian State, on our South Western Border, and the occupation of the Indian Territory ;

Having had the matters therein mentioned under advisement, beg leave to submit the following substitute, and recommend the adoption thereof in lieu of the original resolution.

House concurrent resolution No. 11,

Was taken up, and the following amendment by way of substitute recommended by the committee :

Strike out all after "Be it resolved by the House of Representatives, The Senate concurring therein," and insert as follows :

WHEREAS, The civilized Indians, inhabiting the Indian Territory west of Missouri and Arkansas, are now enjoying the blessings of civil government, excellent systems of public schools, abundant mail facilities, a free commercial intercourse, on their part, with the citizens of the several States, full protection by the federal troops from hostile invasions and internal commotions, free access to the courts, both State and national, to enforce the contracts entered into with them by citizens of the United States, public officers to protect their country from intrusion, and many other advantages, all at the expense of the National Treasury ;

AND WHEREAS, Like privileges on the part of the citizens of the several States to carry on commerce with said inhabitants and to engage in other legitimate pursuits in their country, are prohibited by the Indian intercourse law and by the acts of the several legislative counsels of said inhabitants ;

AND WHEREAS, Onerous taxes are unjustly and unconstitutionally levied on live stock and on travellers passing through said country from one State to another ;

AND WHEREAS, The interests of an expanding commerce and an advancing civilization, demands that the right of an American citizen to carry on commerce and to engage in any other legitimate employments in any part of the United States inhabited by civilized people should be respected ;

AND WHEREAS, The welfare of this State specially demands that it shall no longer be kept as a border State, shut out from a free commercial intercourse with the States and Territories to the south and west of it, by a people whose anomalous governments exert themselves to destroy such intercourse, and that the construction of the great national highways calculated to connect this State with said States and Territories, shall no longer be retarded by the barrier thus placed in the way ; therefore, be it

Resolved by the House of Representatives, the Senate concurring therein:

1st. That our Senators in Congress be instructed and our Representatives requested to use all honorable means to secure the enactment of such laws, or if necessary, such amended treaties as will open said Territory to the free occupation and settlement of the citizens of the United States and the establishment of a State government for the protection of persons and property. And that they oppose the recognition by the United States of the pretended Confederate government agreed upon by the several tribes inhabiting said Territory in December last, which pretending to fulfill the requirements of their several treaties with the United States is in fact an evasion of them.

2d. That a copy of these resolutions be forwarded by the Secretary of State to our Senators and Representatives in Congress.

Was read the first time, and laid over for a second reading to-morrow.

Mr. Stone presented a petition from E. H. Shepherd for reimbursement of moneys paid ;

Which was read, and,

On motion of Mr. Stone,

Referred to the Committee on Claims.

Mr. Barnes gave notice that he would to-morrow or some subsequent day introduce a bill to repeal chapter one hundred and eleven of the General Statutes, in relation to homesteads.

Mr. Barnes gave notice that he would move a reconsideration of the vote by which the House appointed a special committee on Insurance.

The motion to reconsider was ordered to be entered upon the journal.

Mr. Neal moved to adjourn.

The ayes and noes having been demanded, it was not agreed to by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Asher, Collier, Dolman, Eubanks, Frost, Girdner, Hackman, Hammett, Hooper, Hutt, Kost, Latschaw, Marlin, Maupin, Mabrey, McAllister, McPike, Moore of Livingston, Moore of Stone, Murray, Neal, Raney, Richardson, Robinson, Shewalter, Shielde, Sides, Smith, Sorrell, White of Texas, Wight of Vernon and Williams of Audrain—37.

NOES—Messrs. Adams of Butler, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Butler,

Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Gates, Goodson, Gray, Hardin, Harmon, Hickman, Howell, Hubbell, Lamson, Langston, Leach, Leeper, Martin of Caldwell, Martin of St. Louis, Miller, Mitchell, Murphy, Myers, Newman, Norris, Pauley, Randall, Ray, Samuel, Sanford, Schooley, Stancil, Stone, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wilkes, Williams of Morgan and Worden—64.

Absent—Messrs. Auer, Borg, Bradshaw, George, Kitchen, McMillan, O'Bannon of Pettis, Rolston, Shafer, Sharp, Sloan, Steele, Squires, Turner and Mr. Speaker—15.

Absent with leave—Messrs. Alsup, Bass, Bohn, Brown of Monroe, Bulkley, Fassen, Haas, Knott, Koch, Logan, Marshall, Ming, Mortell, Mullings, O'Bannon of Dallas, Pope and Scoville—17.

Sick—Messrs. Buckham, Bunch and Gratiot—3.

Mr. Davis gave notice that he would on Monday or some subsequent day introduce

A bill entitled an act for the better protection and security of bees and bee-keepers.

Mr. Von Kochtitzky of Laclede presented a petition entitled of establishing the county lines of Laclede and other counties.

On motion of Mr. Von Kochtitzky,

The petition was referred to the Committee on County Boundaries.

Mr. Von Kochtitzky presented a petition from the citizens of Laclede county ;

Which was referred to the Committee on Local Bills.

Mr. Stone gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend article three of chapter forty-two of Wagner's Missouri Statutes, and chapter two hundred and one of title forty-five of the General Statutes of Missouri in relation to crimes and punishments.

Mr. Colcord gave notice that he would on to-morrow on some subsequent day introduce a bill entitled

An act to amend section eight of article eight, chapter forty-two of Wagner's Missouri Statutes.

Mr. Dean gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to establish courts of probate in the counties of DeKalb and others.

Mr. Bell offered the following resolution :

Resolved, That the Chief Clerk report to this House whether any of the clerks of committees are serving more than one committee, and whether they receive pay for double service ;

Which was read.

Mr. Harmon gave notice that he would on to-morrow or some subsequent day introduce

A bill for township organization providing for its adoption by counties creating township assessors, collectors, commissioners and overseers of highways, overseers of the poor, fence viewers, judges of election, auditors of township accounts and the raising and equalizing of township taxes; providing also for the reorganization of the county courts and making the treasurer county collector. Thus securing the listing of all property for assessment and faithful collection of taxes.

The Speaker laid before the House the following communication from the postmaster, Mr. Wm. J. Wainwright:

The postmaster of the House respectfully calls the attention of members to the fact that a great many documents mailed by them are returned to him because the required amount of postage stamps are not affixed. Members will please call and examine the documents.

On motion of Mr. Neal,

The House adjourned until Monday at 10 o'clock, A. M.

MONDAY, JANUARY 30, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of Saturday was being read, when,

On motion of Mr. Burrows,

The further reading of the journal was dispensed with.

On motion, leave of absence was granted Messrs. McMillan, Knott, Hardin and Pauley for one day.

The resolution of Mr. Davis, refusing the use of the Hall for purposes other than legislation pending at adjournment Thursday, was taken up.

Mr. Burrows moved to lay the resolution on the table;

Which was agreed to.

Mr. Burrows introduced the following resolution:

Resolved, That the Committee on Retrenchment and Reform be and are hereby required to inquire into the amount usually paid all clerks, folders, pages, etc., employed by this House, and if the present force cannot be decreased; also to report to this body the compensation deemed by them as an equivalent for services rendered, that the House may adopt the same, and the Committee on Accounts be governed accordingly;

Which was read and adopted.

Mr. Davis offered the following resolution:

Resolved, That the several ministers who have officiated as Chaplain of this House be allowed the sum of five dollars for each day they have so acted, as shown by the journal of the House;

Which was read.

Mr. Bosbyshell moved to lay the resolution on the table;

Which was agreed to.

Mr. Mullings offered the following resolution:

Resolved, That the Chief Clerk be authorized to furnish the Superintendent of Public Instruction for use in his office one copy of Wagner's Statutes, to be paid for out of the contingent fund of the House;

Which was read.

Mr. Moore of Livingston moved to lay the resolution on the table;

Which was agreed to.

Mr. Samuel offered the following resolution:

Resolved, That the Committee on Militia are hereby instructed to inquire into and investigate the unsettled accounts of the officers of the late war, as shown by the books in the Adjutant General's office, and report to this House what action is necessary to collect or settle said accounts;

Which was read and adopted.

Mr. Shields offered the following resolution:

Resolved, That one hundred and fifty copies of all bills of a general nature, on being referred to any committee of the House, shall be printed for the use of the House;

Which was read.

Mr. Myers offered the following substitute:

Resolved, That hereafter it shall be the duty of the chairman of the several committees of this House, to whom bills of a general character are referred, to cause to be printed all bills perfected by such committees, and to have a printed copy of such bill placed upon the desk of each member, at least one day before such bill shall be reported to this House, with the recommendation that it do pass;

Which was read.

Mr. Martin of Caldwell, offered the following amendment:

Resolved, That hereafter it shall be the established rule of this House that whenever any bill or concurrent resolution shall be referred to any committee, it shall be considered that one hundred and fifty copies are ordered printed for the use of the House, unless otherwise directed in the reference;

Which was not agreed to.

The question recurred on the adoption of the substitute;
Which was not agreed to.
The resolution as offered by Mr. Shields was then adopted.

Mr. Gates called for the special order, being the motion to reconsider the vote referring a portion of Governor Brown's special message relating to Jas. B. Eads, to a special committee.

Mr. Shields moved to lay the motion to reconsider on the table;
Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

Senate bill No. 23, entitled

An act to repeal an act to establish a probate and common pleas court in Jackson county, and all acts or parts of acts amendatory thereof,

Have had the same under consideration and have instructed me to report the same back with the accompanying amendment, with the recommendation that the same as thus amended do pass;

Which was read.

Senate bill No. 28, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in Jackson county, and all the acts and parts of acts amendatory thereof,

Was taken up.

The following amendment recommended by the committee:

Amend the title of said bill by inserting after the word "county," the second time, the following: "Approved February 13, 1853,"

Was agreed to.

On motion, the rules were suspended, the bill read third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Butler, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Howell, Hubbell, Hutt, Koch, Lamson, Langston, Lashaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Von Kochitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—108.

NOES—None.

Absent—Messrs. Brown from Monroe, Logan, Maupin, Moore of Stone, Scoville, Steele and Van Roden—7.

Absent with leave—Messrs. Bass, Bohn, Bradshaw, Hardin, Hooper, Kitchen, Knott, McMillan, Ming, Mortell, Pauley, Rolston and Turner—13.

Sick—Messrs. Bunch, Eubanks, Goodson, Kost, O'Bannan of Dallas, Raney, Sloan and Gratiot—8.

Mr. Gates moved to reconsider the vote by which the bill passed and to lay that motion on the table;
Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

Senate bill No. 19, entitled

An act to establish the twenty-fourth judicial circuit and to provide for the election of a judge and circuit attorney therefor,

Have had the same under consideration and have instructed me to report the same back with the accompanying amendment, with the recommendation that the same as thus amended do pass;

Which was read.

Senate bill No. 19, entitled

An act to establish the twenty-fourth judicial circuit,

Was taken up.

The following amendment recommended by the committee:

Amend section one in third line by striking out the words "the fourth Monday in February," and inserting in lieu thereof the words, "the first Monday in March,"

Was agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bittinger, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dollman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shater, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—103.

Absent with leave—Messrs. Bass, Bennett, Bohn, Bradshaw, Brown of Monroe, Bunch, Goodson, Hardin, Kitchen, Knott, Kost, Logan, Maupin, McAllister, McMillan, Ming, Mortell, Pauley, Raney, Rolston, Scoville, Sloan, Steele and Turner—24.

Sick—Messrs. Alsup, Eubanks, Goodson, O'Bannan of Dallas and Gratiot—5.

Mr. Thomas from Committee on Judiciary submitted the following report:

Mr. SPEAKER: Your committee to whom was referred

Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county and defining his powers and duties,

Have had the same under consideration and have instructed me to report the same back with the accompanying amendments, with the recommendation that the same as thus amended do pass;

Which was read.

Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county, and defining his powers and duties;

Was taken up.

The following amendments recommended by the committee:

Amend section one in first line by inserting after the word "is" the word "hereby."

Amend section two in second line by inserting after the word "on" the words "the first," and by striking out in same line the words "the last Monday in February" and insert in lieu thereof the words "the first Monday in March;"

Were agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckingham, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Hoar, Hackman, Hammett, Harmon, Mickman, Hooper, Howell, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—103.

Absent with leave—Messrs. Bass, Bennett, Bohn, Bradshaw, Brown of Monroe, Bulkley, Bunch, Hardin, Kitchen, Knott, Kost, Logan, Maupin, McAllister, McMillan, Ming, Mortell, Pauley, Scoville, Sloan, Steel and Turner—22.

Sick—Messrs. Eubanks, Gratiot, O'Bannon of Dallas, Raney, Ray and Ralston—6.

Mr. Gates moved to reconsider the vote by which the bill passed and to lay that motion to reconsider on the table;

Which was agreed to.

Mr. Thomas from the Committee on Judiciary submitted the following report:

MR. SPEAKER: Your committee to whom was referred
Senate bill No. 21, entitled

An act to establish the criminal court of Jackson county

Have had the same under consideration, and have instructed me to report the same back with the accompanying amendment, with the recommendation that the same as thus amended do pass;

Which was read.

Senate bill No. 31, entitled

An act to establish the criminal court of Jackson county

Was taken up.

The following amendment recommended by the committee:

Amend the title to said bill by adding thereto the following,
"and to provide for the election of a judge and clerk thereof;"

Was agreed to.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Ray, Richardson, Robinson, Ralston, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Siles, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Rolen, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—112.

NOES—None.

Absent—Messrs. Barnes, Bass, Bohn, Brown of Monroe, Kitchen, Knott, McMillan, Pauley, Ranney, Scoville, Steele, and Williams of Audrain—12.

Absent with leave—Messrs. Fassen, Hardin, Logan, Maupin, Ming, Mortell, O'Bannan of Dallas and Sloan—8.

Sick—Messrs. Bunch, Eubanks, Gratiot and Kost—4.

Mr. Pope moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee to whom was referred Senate bill No. 24, entitled

An act establishing a probate court in the county of Jackson,
Have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do pass;

Which was read.

Senate bill No. 24, entitled

An act establishing a probate court in the county of Jackson,
Was taken up.

(On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Ohlton, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Mitchell, Moore of Livingston, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—108.

Absent—Messrs. Bohn, Logan, Maupin and Scoville—4.

Absent with leave—Messrs. Bass, Beltrami, Brown of Monroe, Bunch, Hardin, Kitchen, Knott, Kost, McMillan, Miller, Ming, Moore of Stone, Mortell, Pauley, Sloan, Steele and Turner—17.

Sick—Messrs. Bradshaw, Olark, Eubanks, Gratiot, O'Bannan of Dallas, Raney and Rolston—7.

Mr. Brown of Howard, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

The hour for the special order having arrived, being the consideration of Mr. Stone's resolution appointing a standing committee on insurance;

Pending of which,

On motion of Mr. Burrows,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The resolution of Mr. Stone appointing a standing committee on insurance,

Was taken up and adopted.

Mr. Stone moved to reconsider the vote by which the resolution was adopted, and to lay that motion to reconsider on the table;
Which was agreed to.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, beg leave to report that they have examined and find correctly enrolled

House bill No. 3, entitled

An act to amend an act entitled an act to establish the 23d judicial circuit and to provide for the election of a judge and circuit attorney, and for other purposes,

House concurrent resolution No. 13, entitled

Instructing our Senators and requesting our Representatives in Congress to favor the passage of a law reapportioning Congressional districts on the basis of the census of 1870, and to apply to the 42d Congress;

Which was read.

Mr. Barrett, from the Committee on Accounts, submitted the following report:

MR. SPEAKER: The Committee on Accounts to whom was referred the resolution concerning the pay of clerks in the employ of this House, beg leave to report that they have had the same under consideration, and find that by provisions of the General Statutes, chapter eight, section five, the Chief Clerk is entitled to the sum of \$7 per day, and other clerks \$5 per day; but that by an amendment to said Statutes, session acts 1-69, page twenty two, section six, it is provided that "the compensation of all officers, clerks and employes of either house—not otherwise fixed by law—shall be fixed as soon as practicable after their election or appointment, and the pay of officers, clerks or employes shall not be increased or diminished during their respective terms of office, or during the time which they may be employed or appointed." This amendatory act appears to have been construed by the General Assembly, the very body by which the amendatory act was passed, as giving to each house the authority under certain restrictions, of fixing the pay of all its officers, clerks and employes, and accordingly by reference to House Journal of 1869, pages 567 and 603, the compensation of all clerks appointed by the Chief Clerk, the several elected clerks, and the clerk of the Committee on Accounts was fixed at \$7 50 per day, and all others at five per day. By reference to House Journal of 1870—adjourned session—page 1052, it appears that the clerks employed in the rooms of the Enrolling and Engrossing clerks and three general committee clerks were also allowed \$7 50 per day.

By resolution of this House, supin, Mortell, Pauley, Scoville, the present session, the Chief Clerk, the usual number of subordinate clerks, the postmaster, and following the precedent of the General Assembly, it is presumed that the subsequent resolutions have authorized the Enrolling Clerks and a clerk to the Clerk of the House which the bill passed. same as allowed by the last General Assembly, and proper that all who perform equal service compensation, and the precedent being already established on to-morrow or session of this House, in accordance with that of the Assembly, your committee recommend that the Assessor, the circuit crossing and Enrolling Clerk, and the several appointed Clerks, Holt, Chief Clerk be paid the same compensation as that already allowed, the assistant Enrolling Clerks and that the compensation of several committee clerks not otherwise determined, be fixed at one day for the time actually employed, the same to be certified by the chairman of the committee making the respective appointments, and that the same be continued no longer than the exigencies of the public service may require.

Your committee further recommend that the other employes of the House be paid as follows, viz: Folders, \$5 per day; Messengers, \$5 per day; Postmaster, \$5 per day; Night Watchman and Fireman, each \$5 per day; Porter and Speaker's Page, each \$3 50 per day; Pages appointed by Chief Clerk, \$3 per day; Lamplighter and all other employes of the House, each \$2 50 per day.

All of which is respectfully submitted.

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have reported to the Governor for his signature, bills of the following titles:

House bill No. 3, entitled,

An act to amend an act entitled an act to establish the Twenty-third judicial circuit, and to provide for the election of a judge and circuit attorney, and for other purposes:

House concurrent resolution No. 13, entitled,

Instructing our Senators and requesting our representative in Congress to favor the passage of a law reapportioning Congressional districts on the basis of the census of 1870, and to apply to the Forty-Second Congress.

On motion of Mr. Pope,

House concurrent resolution No. 14, entitled,

Concurrent resolution of instructions as to the improvement of the Osage river;

Was taken up, the rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Cloud, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell,

AFTERNOON

The House met pursuant to

Speaker Wilson in the

The resolution of
insurance,

Was taken up

Mr. Stop

was adopted

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The Speaker announced
of the Missouri Institution for the years
1869-70.

[See Appendix.]

Mr. Knott offered the following resolution:

Resolved, That six thousand copies of the report of the State School Superintendent be printed—five thousand in English and one thousand in German—one thousand copies of the total number for the use of the Superintendent and the remainder for the use of the House.

[See Appendix.]

On motion of Mr. Buller,

Senate concurrent resolution, No. 15, entitled,

Senate concurrent resolution, providing for the appointment of a joint committee to revise the laws in relation to assessment and collections of revenue;

Was taken up;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Borg, Boshysell, Breazeale, Brown of Howard, Buckham, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammelt, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Lamson, Langston, Latshaw, Leach, Leeper,

Leeper, Logan,
Louis, Mabrey,
of Livingston,
Newman, Nor-
rison, Rolston,
Shields, Sides,
den, Von Koch,
Vernon, Wilkes,
and Mr. Speaker

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Logan, Marlin, May
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of Livingston, Mo
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Mr. Speaker—

NOES—/

Absent
of Audrain

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Sloan a/

Sick—Mess.
O'Bannan of Dallas—

Mr. Wielandy introduced a j.
gress to make an appropriation for the
United States court room at the State cap.

Which was read the first time, the rules sus-
ond time, and, on motion,

Referred to the Committee on Federal Relations.

Mr. Thomas offered the following resolution:

Resolved, That all resolutions, bills or memorials now in the
hands of the Committee on Ways and Means, in relation to the sub-
ject of assessing and collecting the revenue, be handed by said com-
mittee to the joint committee of the two houses on the same subject;
Which was read and adopted.

Mr. Stone introduced a bill entitled

An act to amend article three (3) of chapter forty-two (42) of
Wagner's Missouri Statutes, and chapter two hundred and one (201)
of title forty-five (45) of the General Statutes of Missouri, in relation
to crimes and their punishment;

Which was read the first time, the rules suspended, read the sec-
ond time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Wielandy introduced a bill entitled

An act to establish the Twenty-fifth Judicial Circuit, and define
the jurisdiction thereof;

Which was read the first time, the rules suspended, read the sec-
ond time, and, on motion,

Referred to the Committee on the Judiciary, and 100 copies or-
dered printed.

Mr. Colcord introduced a bill entitled

An act to amend section eight of article eight, chapter forty two
of Wagner's Statutes;

House Journal
Which was read the first time,
and time, and,
Referred to Committee on
Mr. Kochitzky introduced
An act to repeal an ac
of Lebanon, approved Feb
Which was read the first
time, and, on motion,
Referred to Com
Mr. Thomas, adding the circuit
riding the circuit
Andrew, Holt
Mr. Speaker:
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Instructed,
An act to amend
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Clark, Edens, Hardin, Kitchen, Maupin, Mortell, Pauley, Scoville, Sloan, Steele and Turner—14.

Sick—Messrs. Alsup, Bunch, Eubanks, Gratiot, Kost, O'Bannan of Dallas and Raney—7.

Mr. Buller moved to reconsider the vote by which the bill passed.
Mr. Buller moved to lay his motion to reconsider on the table.

Mr. Adams of Gentry gave notice that he would, on to-morrow or some subsequent day, introduce a bill entitled

An act to amend an act changing the time of holding the circuit courts of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the Twelfth Judicial Circuit;

Also, that he would, on to-morrow or some subsequent day, introduce a bill entitled

An act to amend section one of an act to amend sections eleven, fourteen and fifteen, chapter twenty-six of the General Statutes of Missouri, relating to the recording of deeds.

Mr. Haas gave notice that he would, to-morrow or some subsequent day, introduce a bill entitled

An act to amend an act entitled an act to organize for school purposes, with special privileges to repeal certain acts therein mentioned.

Mr. Ballard gave notice that he would, to-morrow or some subsequent day, introduce

A bill to amend the charter of the city of Weston;

Also, that he would, to-morrow or some subsequent day, introduce

A bill to amend section five of chapter one hundred and sixty-five of the General Statutes of Missouri of 1865, concerning practice in civil cases.

Also, that he would on to-morrow or some subsequent day introduce a bill entitled

An act to incorporate the New Market Cemetery Association;

Also, that he would on to-morrow or some subsequent day introduce

A bill to amend an act to protect fisheries in Platte county, approved February 20, 1865.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act for licensing dogs, and for the protection of sheep and other domestic animals;

Also, a bill entitled

An act to appropriate money for the benefit of the State Board of Agriculture of Missouri;

Also, a bill entitled

An act to amend sections three and six of chapter one hundred and fifty-nine of the General Statutes;

Also, a bill entitled

An act to restrain stock from running at large in such counties as may vote to adopt the same.

Mr. Cloud gave notice that he would on to-morrow or some subsequent day introduce

A bill to provide for the regulation of the practice in certain cases of conflicting title to real estate ;

Also, a bill to amend section eighteen of chapter thirty-two of General Statutes, relating to fees of constables.

Mr. Collier gave notice that he would on to-morrow or some subsequent day introduce

A bill providing for the establishment of a probate court in Perry county.

Mr. Goodson gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections six and sixteen of an act entitled an act to provide for the organization and support of public schools.

Mr. Crockett gave notice that he would to-morrow or some subsequent day introduce

A bill to abolish the office of circuit attorney in the several judicial circuits of this State, to create the office of county attorney in the several counties of this State, to define his duties and regulate his compensation.

Mr. Adams of Butler gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections two and three of chapter seventy-seven of the General Statutes of Missouri, and to repeal an act entitled an act to enlarge the jurisdiction of justices of the peace, approved March 21, 1868.

Mr. Mabrey gave notice that he would to-morrow or some subsequent day introduce

A bill to locate and change the line between the counties of Ripley and Butler.

Mr. Leach gave notice that he would on to-morrow or some subsequent day introduce

A bill to repeal an act establishing and creating a probate court in Gasconade county.

Mr. Bennett gave notice that he would on to-morrow or some subsequent day introduce

A bill in relation to the sale of real estate by administration.

Mr. Harmon gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Livingston, Barton, etc., approved March 9, 1866, approved March 4, 1869, approved March 18, 1870.

Mr. Murphy gave notice that he would on to-morrow or some subsequent day introduce

A bill authorizing the county court of St. Francois county to loan a portion of the school funds of said county to the board of education of the town of Farmington, Missouri.

Mr. Sorrell gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section one, chapter one hundred and ninety-seven of General Statutes, respecting liens.

Mr. Mabrey gave notice that he would to-morrow or some subsequent day introduce

A bill asking for an appropriation for the improvement of the navigation of Current river.

Mr. Wight of Vernon gave notice that he would to-morrow, or some subsequent day, introduce

A bill to amend an act entitled an act in relation to the assessment and collection of revenue on real estate.

Mr. Knott gave notice that he would to-morrow or some subsequent day introduce

A bill in relation to the inspection of steam boilers.

Mr. Wight of Vernon gave notice that he would to-morrow, or some subsequent day, introduce

A bill to establish the office of circuit attorney, and to provide for the establishment of the office of county attorney, and defining their duties.

Mr. Logan gave notice that he would on to-morrow, or some subsequent day, introduce

A bill for the relief of George Buckhart, of Carroll county, Missouri.

Mr. Buller gave notice that he would on to-morrow or some subsequent day, introduce

A bill to provide for the relinquishment to the United States of lands heretofore erroneously patented to the State.

Mr. Colcord gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to amend an act entitled an act to provide for the registration of voters, approved December 16, 1865, and repealing all other acts or parts of acts inconsistent with the provisions of this act;

Also, a bill entitled

An act to prohibit any person not a licensed attorney or a party, plaintiff or defendant, to the suit, from practicing law before justices of the peace;

Also, a bill entitled

An act in relation to the cost of certified records used as evidence in judicial proceedings.

Mr. Logan gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section seven of chapter one hundred and twenty four and chapter one hundred and twenty-one of the General Statutes.

Mr. Buller gave notice that he would to-morrow or some subsequent day introduce

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The resolution of Mr. Stone appointing a standing committee on insurance,

Was taken up and adopted.

Mr. Stone moved to reconsider the vote by which the resolution was adopted, and to lay that motion to reconsider on the table;
Which was agreed to.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, beg leave to report that they have examined and find correctly enrolled

House bill No. 3, entitled

An act to amend an act entitled an act to establish the 23d judicial circuit and to provide for the election of a judge and circuit attorney, and for other purposes,

House concurrent resolution No. 13, entitled

Instructing our Senators and requesting our Representatives in Congress to favor the passage of a law reapportioning Congressional districts on the basis of the census of 1870, and to apply to the 42d Congress;

Which was read.

Mr. Barrett, from the Committee on Accounts, submitted the following report:

MR. SPEAKER: The Committee on Accounts to whom was referred the resolution concerning the pay of clerks in the employ of this House, beg leave to report that they have had the same under consideration, and find that by provisions of the General Statutes, chapter eight, section five, the Chief Clerk is entitled to the sum of \$7 per day, and other clerks \$5 per day; but that by an amendment to said Statutes, session acts 1-69, page twenty two, section six, it is provided that "the compensation of all officers, clerks and employes of either house—not otherwise fixed by law—shall be fixed as soon as practicable after their election or appointment, and the pay of officers, clerks or employes shall not be increased or diminished during their respective terms of office, or during the time which they may be employed or appointed." This amendatory act appears to have been construed by the General Assembly, the very body by which the amendatory act was passed, as giving to each house the authority under certain restrictions, of fixing the pay of all its officers, clerks and employes, and accordingly by reference to House Journal of 1869, pages 567 and 603, the compensation of all clerks appointed by the Chief Clerk, the several elected clerks, and the clerk of the Committee on Accounts was fixed at \$7 50 per day, and all others at five per day. By reference to House Journal of 1870—adjourned session—page 1052, it appears that the clerks employed in the rooms of the Enrolling and Engrossing clerks and three general committee clerks were also allowed \$7 50 per day.

By resolution of this House, adopted at the commencement of the present session, the Chief Clerk was authorized to appoint the usual number of subordinate clerks, pages, folders, messengers and postmaster, and following the precedent established by the last General Assembly, it is presumed that the same pay was intended. Subsequent resolutions have authorized the appointment of two assistant Enrolling Clerks and a clerk to the Committee on Accounts at the same as allowed by the last General Assembly. Deeming it but just and proper that all who perform equal service should receive equal compensation, and the precedent being already established by the action of this House, in accordance with that of the last General Assembly, your committee recommend that the Assistant Clerk, Engrossing and Enrolling Clerk, and the several appointed clerks of the Chief Clerk be paid the same compensation as that already fixed for the assistant Enrolling Clerks and that the compensation of the several committee clerks not otherwise determined, be fixed at \$5 per day for the time actually employed, the same to be certified by the chairman of the committee making the respective appointments, and that the same be continued no longer than the exigencies of the public service may require.

Your committee further recommend that the other employes of the House be paid as follows, viz: Folders, \$5 per day; Messengers, \$5 per day; Postmaster, \$5 per day; Night Watchman and Fireman, each \$5 per day; Porter and Speaker's Page, each \$3 50 per day; Pages appointed by Chief Clerk, \$3 per day; Lamplighter and all other employes of the House, each \$2 50 per day.

All of which is respectfully submitted.

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have reported to the Governor for his signature, bills of the following titles:

House bill No. 3, entitled,

An act to amend an act entitled an act to establish the Twenty-third judicial circuit, and to provide for the election of a judge and circuit attorney, and for other purposes:

House concurrent resolution No. 13, entitled,

Instructing our Senators and requesting our representative in Congress to favor the passage of a law reapportioning Congressional districts on the basis of the census of 1870, and to apply to the Forty-Second Congress.

On motion of Mr. Pope,

House concurrent resolution No. 14, entitled,

Concurrent resolution of instructions as to the improvement of the Osage river;

Was taken up, the rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Cloud, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell,

Hutt, Knott, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—109.

NOES—None.

Absent—Messrs. Bell, Bohn, Colcord, Coleman, Dod, Mortell and Steele—7.

Absent with leave—Messrs. Bass, Brown of Monroe, Clark, Hardin, Kitchen, Kost, Maupin, McMillan, Mortell, Pauley, Raney, Ray, Scoville, Sloan, Turner, and Edens—15.

Sick—Messrs. Bradshaw, Bunch, Eubanks, Gratiot, and O'Bannon of Dallas—5.

The Speaker laid before the House the Eighth Biennial Report of the Missouri Institution for the Deaf and Dumb, for the years 1869-70.

[See Appendix.]

Mr. Knott offered the following resolution:

Resolved, That six thousand copies of the report of the State School Superintendent be printed—five thousand in English and one thousand in German—one thousand copies of the total number for the use of the Superintendent and the remainder for the use of the House.

[See Appendix.]

On motion of Mr. Buller,
Senate concurrent resolution, No. 15, entitled,
Senate concurrent resolution, providing for the appointment of a joint committee to revise the laws in relation to assessment and collections of revenue;

Was taken up;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Lamson, Langston, Latshaw, Leach, Leeper,

Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas Van Roden, VonKochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Bell, Bohn, Coleman, Dean, Steele, and Williams of Audrain—6.

Absent with leave—Messrs. Bass, Brown of Monroe, Edens, Hardin, Kitchen, Kost, Maupin, Mortell, Pauley, Raney, Ray, Scoville, Sloan and Turner—14.

Sick—Messrs. Bradshaw, Bulkley, Bunch, Eubanks, Gratiot, and O'Bannon of Dallas—6.

Mr. Wielandy introduced a joint resolution memorializing Congress to make an appropriation for the building of a post office and United States court room at the State capital;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Federal Relations.

Mr. Thomas offered the following resolution:

Resolved, That all resolutions, bills or memorials now in the hands of the Committee on Ways and Means, in relation to the subject of assessing and collecting the revenue, be handed by said committee to the joint committee of the two houses on the same subject;

Which was read and adopted.

Mr. Stone introduced a bill entitled

An act to amend article three (3) of chapter forty-two (42) of Wagner's Missouri Statutes, and chapter two hundred and one (201) of title forty-five (45) of the General Statutes of Missouri, in relation to crimes and their punishment;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Wielandy introduced a bill entitled

An act to establish the Twenty-fifth Judicial Circuit, and define the jurisdiction thereof;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on the Judiciary, and 100 copies ordered printed.

Mr. Colcord introduced a bill entitled

An act to amend section eight of article eight, chapter forty two of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and

Referred to Committee on Criminal Jurisprudence.

Mr. Kochtitzky introduced a bill entitled

An act to repeal an act entitled an act to incorporate the town of Lebanon, approved February 17, 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee have had under consideration the Statutes of this State in regard to practice in the Supreme Court, and have revised the same with great care, and have instructed me to report to this House the accompanying bill entitled

An act to provide for appeals and writs of error and practice in the Supreme Court in civil cases, and repealing chapter 135 of the General Statutes of Missouri, and an act entitled an act to amend section nine of chapter one hundred and seventy-two of title thirty-four of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868,

With the recommendation that it do pass.

An act to provide for appeals and writs of errors in civil cases, concerning practice in the Supreme Court and repealing chapter one hundred and thirty-four of the General Statutes, and an act entitled an act to amend section nine of chapter one hundred and seventy-two of title thirty-four of the the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 18 8,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pope, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shaler, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wieland, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—109.

NOES—None.

Absent—Messrs. Bell, Bohn, Coleman, Dean, O'Bannon of Pettis and Williams of Audrain—6.

Absent with leave—Messrs. Bass, Bradshaw, Brown of Monroe,

Clark, Edens, Hardin, Kitchen, Maupin, Mortell, Pauley, Scoville, Sloan, Steele and Turner—13.

Sick—Messrs. Alsup, Bunch, Eubanks, Gratiot, Kost, O'Bannan of Dallas and Raney—7.

Mr. Buller moved to reconsider the vote by which the bill passed.
Mr. Buller moved to lay his motion to reconsider on the table.

Mr. Adams of Gentry gave notice that he would, on to-morrow or some subsequent day, introduce a bill entitled

An act to amend an act changing the time of holding the circuit courts of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the Twelfth Judicial Circuit;

Also, that he would, on to-morrow or some subsequent day, introduce a bill entitled

An act to amend section one of an act to amend sections eleven, fourteen and fifteen, chapter twenty-six of the General Statutes of Missouri, relating to the recording of deeds.

Mr. Haas gave notice that he would, to-morrow or some subsequent day, introduce a bill entitled

An act to amend an act entitled an act to organize for school purposes, with special privileges to repeal certain acts therein mentioned.

Mr. Ballard gave notice that he would, to-morrow or some subsequent day, introduce

A bill to amend the charter of the city of Weston;

Also, that he would, to-morrow or some subsequent day, introduce

A bill to amend section five of chapter one hundred and sixty-five of the General Statutes of Missouri of 1865, concerning practice in civil cases.

Also, that he would on to-morrow or some subsequent day introduce a bill entitled

An act to incorporate the New Market Cemetery Association;

Also, that he would on to-morrow or some subsequent day introduce

A bill to amend an act to protect fisheries in Platte county, approved February 20, 1865.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act for licensing dogs, and for the protection of sheep and other domestic animals;

Also, a bill entitled

An act to appropriate money for the benefit of the State Board of Agriculture of Missouri;

Also, a bill entitled

An act to amend sections three and six of chapter one hundred and fifty-nine of the General Statutes;

Also, a bill entitled

An act to restrain stock from running at large in such counties as may vote to adopt the same.

Mr. Cloud gave notice that he would on to-morrow or some subsequent day introduce

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Also, a bill to amend section eighteen of chapter thirty-two of General Statutes, relating to fees of constables.

Mr. Collier gave notice that he would on to-morrow or some subsequent day introduce

A bill providing for the establishment of a probate court in Perry county.

Mr. Goodson gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections six and sixteen of an act entitled an act to provide for the organization and support of public schools.

Mr. Crockett gave notice that he would to-morrow or some subsequent day introduce

A bill to abolish the office of circuit attorney in the several judicial circuits of this State, to create the office of county attorney in the several counties of this State, to define his duties and regulate his compensation.

Mr. Adams of Butler gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections two and three of chapter seventy-seven of the General Statutes of Missouri, and to repeal an act entitled an act to enlarge the jurisdiction of justices of the peace, approved March 21, 1868.

Mr. Mabrey gave notice that he would to-morrow or some subsequent day introduce

A bill to locate and change the line between the counties of Ripley and Butler.

Mr. Leach gave notice that he would on to-morrow or some subsequent day introduce

A bill to repeal an act establishing and creating a probate court in Gasconade county.

Mr. Bennett gave notice that he would on to-morrow or some subsequent day introduce

A bill in relation to the sale of real estate by administration.

Mr. Harmon gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Livingston, Barton, etc., approved March 9, 1866, approved March 4, 1869, approved March 18, 1870.

Mr. Murphy gave notice that he would on to-morrow or some subsequent day introduce

A bill authorizing the county court of St. Francois county to loan a portion of the school funds of said county to the board of education of the town of Farmington, Missouri.

Mr. Sorrell gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section one, chapter one hundred and ninety-seven of General Statutes, respecting liens.

Mr. Mabrey gave notice that he would to-morrow or some subsequent day introduce

A bill asking for an appropriation for the improvement of the navigation of Current river.

Mr. Wight of Vernon gave notice that he would to-morrow, or some subsequent day, introduce

A bill to amend an act entitled an act in relation to the assessment and collection of revenue on real estate.

Mr. Knott gave notice that he would to-morrow or some subsequent day introduce

A bill in relation to the inspection of steam boilers.

Mr. Wight of Vernon gave notice that he would to-morrow, or some subsequent day, introduce

A bill to establish the office of circuit attorney, and to provide for the establishment of the office of county attorney, and defining their duties.

Mr. Logan gave notice that he would on to-morrow, or some subsequent day, introduce

A bill for the relief of George Buckhart, of Carroll county, Missouri.

Mr. Buller gave notice that he would on to-morrow or some subsequent day, introduce

A bill to provide for the relinquishment to the United States of lands heretofore erroneously patented to the State.

Mr. Colcord gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to amend an act entitled an act to provide for the registration of voters, approved December 16, 1863, and repealing all other acts or parts of acts inconsistent with the provisions of this act;

Also, a bill entitled

An act to prohibit any person not a licensed attorney or a party, plaintiff or defendant, to the suit, from practicing law before justices of the peace;

Also, a bill entitled

An act in relation to the cost of certified records used as evidence in judicial proceedings.

Mr. Logan gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section seven of chapter one hundred and twenty four and chapter one hundred and twenty-one of the General Statutes.

Mr. Buller gave notice that he would to-morrow or some subsequent day introduce

A bill to prohibit county courts from changing the terms of any subscription of stock to any railroad or other enterprise, without a vote of the people of such county authorizing the proposed change.

Mr. Shields gave notice that on to-morrow or some subsequent day he would introduce

A bill providing for additional terms of the Hannibal court of common pleas, and for additional compensation to the judge of the 16th judicial circuit.

Mr. Neal gave notice that he would on to-morrow or some subsequent day introduce

A bill relating to the selling liquors by dealers in drugs and medicines.

Mr. Edwards gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section nineteen of chapter eighteen of the General Statutes of Missouri concerning bills of exchange and promissory notes.

Mr. Smith gave notice that he would on to-morrow or some subsequent day introduce the following bills, to-wit:

An act to amend the charter of the city of Liberty;

An act to amend chapter eighteen, title eight, of the General Statutes entitled "of the Attorney General, circuit, assistant circuit and county attorneys"; and

An act to amend chapter thirty-two, title nine, of the General Statutes entitled "of fees."

Mr. Harmon gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section five, chapter one hundred and sixty-five, of the General Statutes providing for the abolishment of the appearance term of court in counties of less than forty thousand inhabitants.

On motion of Mr. Bittinger,
Senate bill No. 33, entitled

An act to authorize the Kansas City, St. Joseph and Council Bluffs Railroad Company to change the route of its railroad between the city of St. Joseph and the city of Savannah,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

On motion of Mr. Burrows,

The House adjourned until 10 o'clock to-morrow morning.

TUESDAY, JANUARY 31, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Burrows,
The further reading of the journal was dispensed with.

Mr. Barnes introduced a bill entitled

An act to repeal chapter one hundred and eleven of title twenty-nine of the General Statutes of the State of Missouri in relation to homesteads;

Which was read the first time, the rules suspended, read a second time, and on motion,

Referred to Committee on Judiciary.

Mr. Wielandy introduced a bill entitled

An act to appropriate money for the benefit of the State Board of Agriculture;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Ways and Means.

Mr. Neal introduced a bill entitled

An act concerning road overseers and road districts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Roads and Highways.

Mr. Crockett introduced a bill entitled

An act to abolish the office of circuit attorney in the several judicial districts of this State, to create the office of county attorney of this State, to define his duties and to regulate his compensation;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Adams of Butler introduced a bill entitled

An act to amend sections two and three of chapter one hundred and seventy-seven of the General Statutes of Missouri, and to repeal an act entitled an act to enlarge the jurisdiction of justices of the peace, approved March 21, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Justices of the Peace.

Mr. Murphy introduced a bill entitled

An act authorizing the county court of St. Francois county to loan public school funds of said county to the board of education of the town of Farmington.

Mr. Haas introduced a bill entitled

An act to amend section eight of an act entitled an act to authorize cities, towns and villages to organize for school purposes with special privileges to repeal certain acts therein mentioned, and all acts and parts of acts inconsistent with this act, approved March 21, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Dean introduced a bill entitled

An act to amend an act entitled an act to establish courts of probate in the counties of DeKalb and other counties;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary and 150 copies ordered printed.

Mr. Knott introduced a bill entitled

An act relating to the inspection of steam boilers in the State of Missouri for the better protection and security of life and property;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Manufactures.

Mr. Thomas introduced a bill entitled

An act to amend section twelve and to repeal section thirteen of chapter one hundred and sixty nine of General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary and 150 copies ordered printed.

Mr. McMillan introduced a bill, entitled,

An act entitled an act to amend section one of chapter thirty-one of the General Statutes of Missouri, concerning the salaries of certain civil officers, approved January 24, 1870;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Ways and Means, and 150 copies ordered printed.

Mr. Edwards introduced a bill entitled,

An act to amend sections one, two and six of chapter one hundred and seventy-three of the General Statutes of Missouri, concerning costs;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Stone introduced a bill, entitled

An act to repeal all general and special acts enacted by the Gen-

eral Assembly of the State of Missouri for the government of the city and county of St. Louis, to consolidate said city and county in one corporation, and to prescribe the powers, duties and privileges of the corporation so created;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to St. Louis delegation and 300 copies ordered printed, 150 of which for the use of St. Louis Delegation.

Mr. Ballard introduced a bill, entitled

An act to amend the charter of the city of Weston;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Banks and Corporations.

Mr. Dolman introduced a bill entitled

An act to revive and re-enact an act entitled an act to amend the thirty-second chapter of the Revised Statutes of Missouri of 1855, approved February 25, 1863;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Harmon introduced a bill, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870;

Which was read the first time, the rules suspended, read the second, and on motion,

Referred to Committee on Local Bills.

Mr. Squires introduced a bill entitled

An act to amend section twelve of chapter forty-one of the General Statutes of Missouri, entitled of the incorporation of towns, elections and power of trustees, &c.;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

The hour of special order having arrived, being the consideration of the resolution offered by Mr. Thomas, relating to a Constitutional Convention,

Was taken up.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up the following Senate bills:

Senate bill No. 19, entitled

An act to establish the 24th judicial circuit;

Senate bill No. 21, entitled

An act to establish the criminal court of Jackson county;

Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county and defining his powers and duties;

Senate bill No. 28, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in Jackson county and all the acts and parts of acts amendatory thereof;

And have concurred in the amendments proposed by the House.

Mr. Gray, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills beg leave to report that after careful examination they find the following entitled bills correctly engrossed, to wit:

Senate bill No. 31, entitled

An act to appropriate money;

Substitute for Senate bill No. 31.

On motion of Mr. Mullings,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Mr. Leeper rose to a question of privilege, which he proceeded to state.

The consideration of the resolution offered by Mr. Thomas, relating to Constitutional Convention, was resumed.

Mr. Leeper offered the following resolution:

Resolved, That the State Printer be required to complete the requisite number of House bill No. 83, printed in full as per House resolution at his own expense;

Which was read and adopted.

Mr. Stone presented the credentials of Hon. N. C. Claiborne, member elect from the 6th district, of St. Louis county.

Mr. Claiborne came forward and was sworn in as a member of the Twenty-sixth General Assembly.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the President of the Senate has appointed as members of joint committee, provided for by Senate concurrent resolution No. 15, entitled

"Providing for the appointment of a joint committee to revise the laws in relation to assessment and collection of the revenue," Senators Gottschalk and Filler.

On motion of Mr. Neal,

The further consideration of the resolution offered by Mr. Thomas was postponed until Monday, February 6, at 11 o'clock, A. M.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, have had under consideration the printing of the report of the Superintendent of Public Instruction, together with accompanying documents, and recommend the adoption of the following resolution;

Which was read.

The resolution as recommended by the committee:

Resolved, That six thousand copies of the report of the State Superintendent of Public Instruction, together with accompanying documents be printed, five thousand in English and one thousand in German, one thousand of the total number for the use of the superintendent, and the remainder for the use of the House;

Which was read and adopted.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims to whom was referred that portion of the Adjutant General's report as related to the unpaid claims against the State, now on file in the Acting Pay and Quartermaster General's office, have had the same under consideration, and instructed me in pursuance of notice to report to this House the following bill and recommend its passage;

Which was read.

The following bill as recommended by the committee, entitled

An act to audit and pay the war debt of Missouri, and to appropriate money therefor;

Which was read the first time, and made the special order for Friday, February 3, 1871, and 150 copies ordered printed.

Mr. Von Kochtitzky, from the Committee on Militia, submitted the following report:

MR. SPEAKER: The Committee on Militia to whom was referred House concurrent resolution No. 15,

Having had said resolution under consideration. ask leave to submit the following substitute;

Which was read.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred

House bill No. 26, entitled

An act to provide for the payment of the special taxes assessed

against the lands of the Missouri Institute for the Education of the Blind in the city of St. Louis,

Have had the same under consideration, and have requested me to report the same back to the House with the recommendation that it be referred to the Committee on Claims;

Which was read.

House bill No. 26, was taken up, and, on motion,

Referred to the Committee on Claims.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred House resolution,

That the Chief Clerk be and is hereby directed to have the picture of General Lyons framed to correspond with the other portraits in this chamber, at a cost not to exceed \$300 00 (three hundred dollars), the same to be paid out of the contingent fund,

Have had the same under consideration, and respectfully recommend that the Chief Clerk be instructed to receive proposals for the framing of the same;

Which was read and adopted.

Mr. Leeper moved to reconsider the vote by which resolution passed printing 150 copies of all bills of a general character.

Mr. Dod, from the Committee on Unfinished Business, submitted his report of the number and title of bills, etc., left over from the 25th General Assembly;

Which was read.

Mr. Mullings, of the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education have had under consideration

House bill No. 45,

And have instructed me to report the bill back with the recommendation that the same do pass with the accompanying amendment;

Which was read.

House bill No. 45, entitled

An act to amend sections four, twelve and thirteen of an act amendatory to an act to establish and regulate free public schools in the city of Chillicothe, approved March 12, 1870, and amendatory of an act entitled an act to establish and regulate free public schools in the city of Chillicothe, approved February 15, 1865.

Was taken up.

The following amendment as recommended by the committee:

Amend section three by inserting after the word "collection," in the forty-third line, the following: "the said amount of five per cent. to be added to the delinquent tax and collected from such delinquent property,"

Was agreed to.

The rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett,

Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckham, Bulkley, Butler, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Delle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murray, Murphy, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalter, Sides, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkea, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—118.

NOES—None.

Absent—Messrs. Breazeale, Butler, McAllister, McMillan, Mitchell, Myers, Newman, Sanford, Shields, Stancil, Steele and Walker—12.

Absent with leave—Messrs. Bell, Brown of Monroe, Kitchen and Sloan—4.

Sick—Messrs. Bradshaw, Gratiot and O'Bannon of Dallas—3.

Mr. Moore, of Livingston, moved to reconsider the vote by which the bill passed.

Mr. Moore, of Livingston, moved to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Shewalter, of the Committee on Printing, submitted the following report:

MR. SPEAKER: Your committee which was instructed by resolution to enquire by what authority of law the public printing is now being done, and whether existing law as to prices is being complied with, beg leave to report that they have had the same under consideration, and ascertained that the public printing is now done in accordance with chapter twenty of the General Statutes and an act entitled "an act to provide for the execution and supervision of the State printing and binding, and abolishing the office of Public Printer." That since the adoption of the last named act twenty per cent. has been deducted from the amount allowed by law, as the law appears in the General Statutes. Bills for the printing of this General Assembly have not been presented as yet;

Which was read and adopted.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The committee to whom was referred

House bill No. 82, entitled

An act to repeal an act to amend chapter forty-nine of the Gen-

eral Statutes of Missouri, concerning school lands, approved February 2, 1870;

Have had the same under consideration, and have instructed me to report the same back with a recommendation that it pass.

House bill No. 82,

Was taken up.

Mr. Neal moved to postpone the passage of the bill.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Barnes, Bitteringer, Bohn, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Clark, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Eubanks, Fassen, Frost, Hickman, Howell, Kost, Lamson, Langston, Leach, Logan, Marlin, Martin of Caldwell, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Pope, Randall, Robinson, Ralston, Scoville, Von Kochtitzky, Wilkes, Williams of Morgan and Worden—49.

NOES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barrett, Bass, Beltrami, Bennett, Borg, Bosbyshell, Burton, Chilton, Claiborne, Cloud, Colcord, Colman, Collier, Dean, Edens, Edwards, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hubbell, Hutt, Knott, Koch, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Moore of Livingston, Mortell, Murphy, Murray, Myers, Pauley, Ray, Richardson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Sides, Smith, Sorrell, Stone, Squires, Turner, Van Roden, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—70.

Absent—Messrs. Hooper, McMillan, Mitchell, Newman, Raney, Shields, Sloan, Thomas and Von Kochtitzky—9.

Absent with leave—Messrs. Bell, Brown of Monroe, Gratiot, Kitchen, O'Bannon of Dallas and Stancil—6.

Sick—Messrs. Bradshaw, Butler and Steele—3.

The rules were then suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Bulkley, Buller, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hammett, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Neal, O'Bannon of Pettis, Pauley, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shafer, Sharp, Sides, Smith, Sorrell, Stancil, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—100.

NOES—Messrs. Asher, Bittinger, Breazeale, Buckham, Dent, Fassen, Kost, Lamson, Langston, Marlin, Martin of Caldwell, Miller, Mullings, Norris, Rolston, Scoville, Wilkes and Williams of Morgan—18.

Absent—Messrs. Bell, Bradshaw, Brown of Monroe, Butler, Dod, Kitchen, McMillan, Newman, Pope, Shewalter, Shields, Sloan, Turner and Walker—14.

Absent with leave—Messrs. O'Bannon of Dallas, Steele, and Stone—3.

Sick—Mr. Gratiot—1.

Mr. Edwards moved to reconsider the vote by which the bill passed.

Mr. Edwards moved to lay his motion to reconsider on the table; Which was agreed to.

On motion of Mr. Thomas,
The House adjourned until ten o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 1, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Sorrell,
The further reading of the journal was dispensed with.

Mr. Mullings offered the following resolution :

Resolved, That the chairman of the Committee on Internal Improvements be authorized to have printed the usual number of bills relating to railroads of general importance ;

Which was read and adopted.

The following message from the Senate was received by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bill No. 20, entitled

An act entitled an act to provide for the collection of delinquent taxes in the city of St. Joseph, Mo., due said city on real estate for the year 1870,

And passed the same;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that they have examined and found correctly enrolled

House concurrent resolution No. 6, entitled

Concurrent resolution requesting our Senators and Representatives in Congress to labor for an amendment to the homestead act, approved May 20, 1862;

Which was read.

Mr. Samuel offered the following:

I hereby move a reconsideration of the vote of this House relative to the payment of Siegel & Bobb for gas fixtures;

Which was read.

On motion, leave of absence was granted to Mr. Shewalter for five days.

Mr. Colcord moved to lay the resolution on the table.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abington, Alsup, Auer, Barrett, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Buckham, Cloud, Colcord, Crockett, Dolman, Frost, Hackman, Harmon, Hickman, Martin of St. Louis, McAllister, Mortell, Myers, Shafer, Smith and Wight of Vernon—26.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Ballard, Barnes, Bass, Beltrami, Breazeale, Brown of Howard, Brown of Monroe, Bulkley, Buller, Burrows, Burton, Chilton, Claiborne, Olark, Collier, Davis, Dean, Dent, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Haas, Hammett, Hardin, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Shields, Sides, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain, Williams of Morgan, Worden, and Mr. Speaker—96.

Absent—Messrs. Coleman, Doak, Mitchell, Schooley and Wielandy—5.

Absent with leave—Messrs. Bradshaw, Bunch, Kitchen, Sloan, Stancil, Steele and Shewalter—8.

Sick—Messrs. Butler, Gratiot, and O'Bannan of Dallas—3.

The motion to reconsider was then adopted.

On motion of Mr. Knott,

The resolution to pay Seigel & Bobb for gas fixtures was recommended to the Committee on Claims, with instructions to report by bill.

Mr. Davis offered the following resolution :

Resolved, That the Commissioner on the Permanent Seat of Government be and is hereby authorized and instructed to make some change in the lighting of the hall by reversing the hanging of the window shades so as to run from the bottom upwards ;

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : Your Committee on Enrolled Bills have reported to the Governor for his signature the following :

House concurrent resolution No. 6, entitled

Concurrent resolution requesting our Senators and Representatives in Congress to labor for an amendment to the homestead act, approved May 20, 1862 ;

Which was read.

Mr. Williams of Audrain offered the following resolution :

WHEREAS, This House, on the — inst., adopted a series of resolutions in reference to the 81st and 82d regiments E. M. M., and appointed a committee to investigate the same, with power to send for persons and papers ;

AND WHEREAS, There are other regiments whose conduct demands an investigation ; therefore be it

Resolved, That the said committee be directed to inquire into the conduct and affairs of all other regiments and companies of the Enrolled Missouri Militia, and especially to inquire into the manner in which they have levied assessments of money, or made requisitions for forage or provisions, and who is chargeable therewith ;

Which was read and adopted.

The Speaker laid before the House the following communication from Mr. Weigel, Secretary of State :

To the Honorable the Speaker of the House of Representatives :

SIR: I have the honor herewith to lay before your honorable body the certificate of election of Hon. N. O. Claiborne, as member of the House of Representatives from the sixth district of St. Louis county.

CITY OF JEFFERSON, February 1, 1871.

I, Eugene F. Weigel, Secretary of State of the State of Missouri, do hereby certify that at an election held in the Sixth Representative District of the county of St. Louis on the 28th day of January, 1871, for the purpose of electing a Representative to the 28th General Assembly, to fill the vacancy caused by the resignation of Hon. Francis P. Blair, Nathaniel O. Claiborne was duly elected to fill said

vacancy, as appears from the official abstract of the votes cast at said election, now on file, as the law directs, in this office.

In testimony whereof I have hereunto set my hand and
[SEAL.] affixed my official seal. Done at office this first day of
February, A. D. 1871.

EUGENE F. WEIGEL,
Secretary of State.

Which was read.

The Speaker announced as the Standing Committee on Insurance:

Messrs. Stone, Bittinger, Mitchell, Latshaw, Kost, Meyers and Knott.

Mr. Marshall, of the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 38, entitled,

An act to amend section seven, of title six, chapter fourteen of the General Statutes, in relation to the State Interest and State Sinking fund,

Have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that the bill do pass;

Which was read.

Mr. Thomas from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: The committee to whom was referred

House bill No. 1, entitled

An act to authorize writs of error and appeals to the Supreme Court,

Have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying substitute for the same, with the recommendation that the substitute do pass;

Which was read.

House bill No. 1, entitled

An act to authorize writs of error and appeals to the Supreme Court;

Was taken up.

The following amendment by way of substitute as recommended by the committee:

An act to provide for appeals and writs of error in certain cases, and to provide for the safe custody of the records, papers and proceedings of the District Courts of this State.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. The Supreme Court shall have jurisdiction of and may hear and determine all cases which have been determined by the several District Courts of this State, and in which writs of error might have been taken from the Supreme Court to said District Court before the same were abolished. All cases which were pending and undetermined in the said District Court at the time they were abolished; all cases which may have been taken by appeal or by writ of error to said District Court from any court, the transcript and records

whereof had not been certified and sent to said District Court before they were abolished, and all cases taken by appeal or by writ of error to said District Courts from any court since the same were abolished.

SEC. 2. The clerks of the several Districts Courts of the State shall forthwith, upon the passage of this act, transmit by express to the clerks of the Supreme Court which had jurisdiction over their respective District Courts, before the same were abolished, all records, papers and dockets, or other proceedings in their respective offices, belonging to said District Courts; and the clerks of the Supreme Court shall receive and receipt for the same to said clerks of the District Courts, and carefully preserve the same in their respective offices.

SEC. 3. The clerks of the several courts having original jurisdiction shall transmit to the clerks of the Supreme Court having jurisdiction over the Districts Courts to which cases might have been taken by appeal or writ of error from said court of original jurisdiction, all the records and proceedings which would have been sent to the District Courts before they were abolished, in all cases in which appeals may have been taken to, or writs of error sued out from said District Courts before or since the same were abolished, and which have not been certified and sent to said District Courts by the clerks of said courts having original jurisdiction.

SEC. 4. Any appellant or party who was, on the 8th day of November, 1870, entitled to sue out a writ of error in any of the cases mentioned in this act, may have such case docketed by the clerk of the Supreme Court in term time or in vacation, and set for trial at the next term of the Supreme Court, beginning twenty days after such case is docketed, and the Supreme Court shall hear and determine the same if it had been taken by appeal or by writ of error to the Supreme Court from such circuit or other court; *provided*, that the party desiring the Supreme Court to hear and determine any such case shall give the adverse party or his attorney of record twenty-days notice of the time of the hearing of the same.

SEC. 5. All process and writs issued from the office of the clerk of any District Court, and not returned at the time said District Courts were abolished, shall be returned to the the Supreme Court which had jurisdiction over such District Court, and the Supreme Court shall have power to award any process which any District Court could have awarded before the said District Courts were abolished, to enforce any judgment or collect any costs therein.

SEC. 6. Whenever an appeal shall have been taken to any District Court and bond filed and supersedeas of execution awarded, the appellant shall be required to file in the Supreme Court a new bond, with security to be approved by the clerk of the court from which the same was taken within ninety days after the passage of this act, otherwise the supersedeas shall cease and execution may issue upon the judgment of the court below.

SEC. 7. This act shall take effect and be in force from and after its passage.

Mr. Mitchell offered the following amendment:

Amend section two by striking out the words "by express;"

Which was not agreed to.

Mr. Buller offered the following amendment:

Amend by inserting "or otherwise," after the words "by express;"

Which was not agreed to.

Pending which,

On motion of Mr. Applegate,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of House bill No. 1 and the substitute recommended by the committee;

Which was agreed to.

The rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Burton, Olai-borne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Smith, Sorrell, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—108.

NOES—None.

Absent—Messrs. Abbee, Bass, Bennett, Bradshaw, Butler, Chilton, Davis, Edens, Gates, Hammett, Hardin, Hooper, Moore of Stone, Mortell, Murphy, Ray, Shewalter, Sides, Squires and Williams of Audrain—20.

Absent with leave—Messrs. Kitchen, Miller, Sloan, Stancil, Steele and Wielandy—6.

Sick—Messrs. Bunch, Gratiot and O'Bannon of Dallas—3.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee have had under consideration the accompanying bill entitled

An act to amend an act entitled an act to amend section five of chapter one hundred and thirty-four of the General Statutes, approved February 21, 1868, approved March 16, 1870,

And have instructed me to report the same with the recommendation that it pass.

The bill reported by the Committee on Judiciary entitled

An act to amend an act entitled an act to amend an act to amend section five of chapter one hundred and thirty-four of the General Statutes, approved February 21, 1868, approved March 16, 1870,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—116.

NOES—None.

Absent—Messrs. Barnes, Butler, Chilton, Hammett, Mortell, Murphy, Rolston and Steele—8.

Absent with leave—Messrs. Beltrami, Bradshaw, Bunch, Kitchen, McAllister, Shewalter, Sloan, Stancil, Wielandy and Williams of Audrain—10.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

On motion, leave of absence was granted to Messrs. Wielandy and Buckham for one day.

Mr. Thomas moved to reconsider the vote by which the bill passed.

Mr. Thomas moved to lay his motion to reconsider on the table; Which was agreed to.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred House concurrent resolution No. 9, have had the same under

consideration and have instructed me to report the same back to this House with the recommendation that it do pass;

Which was read.

House concurrent resolution No. 9, entitled

Concurrent resolution to investigate the location of the Normal Schools,

Was taken up, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—114.

NOES—Mr. Hooper—1.

Absent—Messrs. Bennett, Butler, Ohilton, Colcord, Dolman, Hammett and Miller—7.

Absent with leave—Messrs. Beltrami, Bradshaw, Rolston, Shewalter, Sloan, Stancil, Wielandy and Williams of Audrain—8.

Sick—Messrs. Barnes, Buckley, Bunch, Gratiot, O'Bannan of Dallas and Steele—6.

The following communication was received from his Excellency the Governor, B. Gratz Brown, by his private secretary, Mr. Judson:

To the honorable Speaker of the House of Representatives:

I have this day approved the following bills of the House:

An act entitled an act to amend an act entitled an act to establish the twenty-third judicial circuit, and to provide for the election of a judge and circuit attorney and for other purposes;

Also, concurrent resolution requesting our Senators and Representatives to labor for the passage of an amendment to the home-
stead act of May 20, 1862.

Respectfully,

B. GRATZ BROWN.

The Speaker announced that Mr. Knott had been appointed to the Committee on Deaf and Dumb and Lunatic Asylums, to fill the vacancy caused by Mr. Abbot.

The Speaker announced that Mr. Claiborne had been added to the Committee on Federal Relations.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature bills of the following titles:

Senate bill No. 19, entitled

An act to establish the twenty-fourth judicial circuit;

Senate bill No. 26, entitled

An act establishing the office of marshal of Jackson county and defining his powers and duties;

Senate bill No. 28, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in Jackson county, approved February 18, 1855, and all the acts and parts of acts amendatory thereof;

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 20,

An act entitled an act to provide for the collection of delinquent taxes in the city of St. Joseph, Missouri, due said city on real estate for the year 1870;

Which was read.

Mr. Marshall, of the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 58, entitled

An act to amend section thirty of chapter thirty-eight of the General Statutes in relation to the publication of certain school and other moneys, and the receipts and expenditures of the several counties,

Ask leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that the bill do pass;

Which was read.

Mr. Marshall, of the Committee of Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 59, entitled

An act to amend an act entitled an act to amend section nine of chapter eighty-three of the General Statutes of Missouri, A. D. 1865, concerning estrays,

Ask leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that the bill do pass;

Which was read.

House bill No. 59, entitled

An act to amend an act entitled an act to amend section nine,

chapter eighty-three of the General Statutes of the State of Missouri, 1865, concerning strays,

Was taken up, and,

On motion of Mr. Buller,

One hundred and fifty ordered printed.

On motion,

House concurrent resolution No. 18, entitled

Concurrent resolution in relation to the organization of an Indian State on our southwestern border and the occupation of Indian territory,

Was taken up, read the second time, the rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckingham, Bulkley, Buller, Burrows, Burton, Chilton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hunt, Knott, Koch, Kost, Lamson, Leach, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McMillan, McPike, Miller, Moore of Livingston, Mullings, Murphy, Myers, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, and Mr. Speaker—84.

NOES—Messrs. Abbee, Clark, Dean, Dent, Dod, Langston, Lashaw, Leeper, Mabrey, Ming, Mitchell, Moore of Stone, Murray, Neal, Newman, Norris, Shafer, Shields, Sides, Smith, Wight of Vernon, Wilkes, Williams of Morgan and Worden—24.

Absent—Messrs. Breazeale, Brown of Monroe, Butler, Frost, Hammett and Mortell—6.

Absent with leave—Messrs. Beltrami, Bradshaw, Kitchen, Marlin, Shewalter, Sloan, Stancil, Steele, Wielandy and Williams of Audrain—10.

Sick—Messrs. Bunch, Gratiot and O'Bannon of Dallas—3.

On motion of Mr. Knott,
Senate bill No. 25, entitled

An act to amend section one of chapter twenty-one of the General Statutes of Missouri,

Was taken up, and, on motion,

Referred to Committee on Permanent Seat of Government.

Mr. McMillan gave notice that he would to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company.

Mr. Bulkley presented a petition of the citizens of Ralls county, praying for better protection against cattle and stock running at large;

Which was read, and, on motion,
Referred to the Committee on Agriculture.

Mr. Randall gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section seventeen of chapter sixty-three of General Statutes, 1865, being section seventeen of article two of chapter thirty-seven of Wagner's Statutes.

Mr. O'Bannon of Pettis, gave notice that he would on to-morrow or some subsequent day introduce

A bill to establish a probate court in Pettis county;
Also, a bill to amend article three, chapter two, Wagner's Statutes;

Also, a bill to establish the twenty-fifth judicial circuit.

Mr. Gates gave notice that he would on to-morrow or some subsequent day introduce

A bill to establish the county of Bourbon, and to change the boundary lines of Cass, Jackson, Lafayette, Johnson and Henry counties therefor.

Mr. Marshall gave notice that he would to-morrow or some subsequent day introduce

A concurrent resolution asking Congress to pass a law authorizing the location of swamp land indemnity scripts upon any lands belonging to the United States subject to entry.

Mr. Haas gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section six of an act of the General Statutes of Missouri, entitled an act to provide for the reorganization and support of public schools.

Mr. Marshall gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section twenty-five of an act in relation to swamp and overflowed lands, approved March 16th, 1870.

Mr. Goodson gave notice that he would to-morrow or some subsequent day introduce

A bill to establish the twenty-fifth judicial circuit in the State of Missouri, and for other purposes.

Mr. Harmon presented a petition of the citizens of Nodaway county, praying for the establishment of the twenty-fourth judicial circuit;

Which was read, and, on motion,
Referred to the members of the twelfth judicial district.

Mr. Worden presented a petition of citizens of Cass county, praying for a law to carry out township organizations, by such counties as may see proper to avail themselves thereof;

Which was read, and on motion,
Referred to Committee on Township Organization.

Mr. Borg gave notice that he would on to-morrow or some subsequent day, introduce

A bill to amend section nine of chapter seventeen of the Revised Statutes in relation to license.

Mr. Scoville gave notice that he would on to-morrow or some subsequent day, introduce

A bill amending section fifty of chapter one hundred and forty-three of the General Statutes, concerning evidence, statutes, public records and documents.

Mr. Pope gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled

An act to amend section five of chapter one hundred and eighty-four of the General Statutes of Missouri.

Mr. Gates gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to authorize the trustees of the Old School Presbyterian church of Lee's Summit, in Jackson county, to sell and convey certain real estate.

The following communication was received from the Governor, by his private secretary, Mr. Judson :

To the Honorable the Speaker of the House of Representatives :

I have this day approved House bill entitled

An act to provide for the collection of delinquent taxes in the city of St. Joseph, Missouri, due said city on real estate for the year 1879 ;

Which was read.

Mr. Worden gave notice that he would on to-morrow or some subsequent day, introduce a bill amendatory of and supplementary to an act entitled an act to incorporate the town of Pleasant Hill, approved March, 14th, 1859.

Mr. Shafer gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to amend section one of chapter thirty-six of the General Statutes of Missouri ;

Also, a bill to amend sections thirty and forty-one of chapter thirty-four, of the General Statutes ;

Also, a bill to amend an act entitled an act to amend an act to amend section six of chapter ninety-three of the General Statutes concerning merchants and their license.

Mr. Thomas gave notice that he would on to-morrow or some subsequent day, introduce

An act to amend sections twenty and twenty-one of chapter one hundred and fifty-one of General Statutes, in relation to ejectment ;

Also, an act to amend section ten of chapter one hundred and sixty-nine of General Statutes of Missouri in relation to practice in civil cases ;

Also, an act in relation to roads and highways.

Mr. Knott gave notice that he would on to-morrow or some subsequent day, introduce

A bill amending section thirty-one of chapter one hundred and thirty-three of the General Statutes of Missouri.

Mr. Davis gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to amend section twenty-five of chapter two hundred and one of the General Statutes of Missouri concerning crimes and punishment of offenses against public and private property.

Mr. Crockett gave notice that he would on to-morrow or some subsequent day, introduce

A bill to repeal sections one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and thirty-six and one hundred and thirty-seven of chapter thirteen of the General Statutes of Missouri, relating to collecting of revenue.

Mr. Neal gave notice that he would on to-morrow or some subsequent day, introduce

A bill to establish the twenty-sixth judicial circuit.

Mr. Chilton gave notice that he would on to-morrow or some subsequent day, introduce

A bill to establish a probate court in the county of Shannon.

Mr. Brown of Monroe, gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to establish the Monroe City court of common pleas.

Mr. Abbee gave notice that he would on to-morrow or some subsequent day, introduce

A bill to further provide for the publication of notices in cases of petitions or sales of real estate by guardians and curators and administrators.

Mr. Martin gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to amend an act entitled an act to establish a court of common pleas with probate jurisdiction in the county of Caldwell, approved March 15th, 1870.

Mr. Scoville gave notice that he would on to-morrow or some subsequent day, introduce

A bill extending the time for the payment of the outstanding Union Military bonds, and interest due thereon.

Mr. Auer gave notice that he would on to-morrow or some subsequent day, introduce

A bill relating to street railways, and the employes of street railroad companies.

Mr. Dean gave notice that he would on to-morrow or some subsequent day, introduce a bill, entitled

An act to amend section one of chapter one hundred and thirty-

seven, General Statutes of 1865, being section of article five of chapter forty-one of the Statutes of Missouri, compiled by David Wagner.

Mr. Buller gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section twenty-two of chapter one hundred and forty-six, and section thirty-five of chapter one hundred and forty-three of the General Statutes;

Also, an act to amend chapter one hundred and fifteen of the General Statutes.

Mr. Dean gave notice that he would on to-morrow or some subsequent day, introduce a bill

An act to amend section eight of chapter ninety-eight of the General Statutes of 1865, being chapter forty-eight of Wagner's Statutes.

Mr. Koch gave notice that he would on to-morrow or some subsequent day introduce

A bill for the taxation of non-residents.

Mr. Breazeale gave notice that he would on to-morrow or some subsequent day, introduce a bill to relieve counties whose court houses were destroyed during the war.

Mr. Ming gave notice that he would on to-morrow or some subsequent day, introduce a bill in relation to changing time of holding courts in the ninth judicial circuit.

Mr. McMillan gave notice that he would to-morrow or some subsequent day, introduce a bill creating Richland county.

Mr. Mullings gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled

An act to provide for the better security of policy-holders in mutual life insurance companies, and to require the deposit of certain securities with the Superintendent of the Insurance Department.

Mr. Neal gave notice that he would on to-morrow or some subsequent day, introduce a bill to restrict county courts in levying tax and borrowing money.

Mr. Haas gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled

An act to amend section thirteen, chapter two of the General Statute of Missouri, entitled "of popular elections," providing for a uniform ballot-box.

Mr. Borg gave notice that he would on to-morrow or some subsequent day, introduce a bill for the relief from taxation of the German Protestant Orphans' Home Association, located in the city of St. Louis.

Mr. Brown of Monroe gave notice that he would on to-morrow or some subsequent day, introduce a bill entitled.

An act to establish a reasonable maximum rate of charges for the transportation of passengers on the different railroads in the State.

Mr. Bennett gave notice that he would to-morrow or some subsequent day, introduce a bill entitled

An act to amend section eleven of an act to provide for reorganization and support of public schools, and to revise and amend laws relating thereto, approved February 9, 1870.

On motion, leave of absence was granted to Mr. Bradshaw for three days.

Mr. Knott offered the following resolution :

WHEREAS, The late State Treasurer, (Mr. Dallmeyer), in his report to this General Assembly, states that ex-Attorney General R. F. Wingate, retained without his (the Treasurer's) approval the sum of ten thousand dollars as a fee, in the case of the State against the State Bank of Missouri.

Be it therefore resolved, That the Committee on Ways and Means be instructed to inquire in the matter and report whether any action is necessary to protect the interests of the State in the premises ;

Which was read and adopted.

Mr. Samuels offered the following resolution :

Resolved, That the Doorkeeper of this House is hereby authorized and empowered to employ a night watchman, whose duty shall be to take charge of this Hall during the night, and see that the furniture, books, papers, and other things belonging to the same are kept in good order and safe condition ;

Which was read and adopted.

Mr. Worden offered the following resolution :

Resolved by the House of Representatives of the 26th General Assembly, That in consideration of the fact that a great amount of time was occupied in the last Legislature, and that preparations are now being made to press upon this Legislature the formation of a new county or counties, to be known as Richland, Sherman, Hart, Rodman, or a new county by any other name, occupying a part of the counties of Cass, Bates, Jackson, Johnson, and perhaps a small part of Lafayette and Henry counties, that any such new county or counties is unnecessary, imprudent and unjust to the people of said counties at this time, and that it is due to the people of said counties that we pass this resolution ;

Which was read.

Mr. Gates moved to lay the resolution on the table, the ayes and noes being demanded, was agreed to as follows :

AYES—Messrs. Abbee, Abington, Adams of Butler, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Buckham, Bulkley, Chilton, Coleman, Collier, Davis, Dolman, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Hackman, Harmon, Hooper, Howell, Hubbell, Koch, Leach, Leeper, Marlin, Martin of Caldwell, Martin from St. Louis, Mabrey, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Neal, Newman, Norris, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, White of Texas, and Williams of Morgan—77.

NOES—Messrs. Adams of Gentry, Bohn, Brown of Monroe, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Colcord, Crockett, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Haas, Hardin, Hickman, Hutt, Knott, Kost, Lamson, Langston, Latschaw, Logan, Marshall, Maupin, McPike, Mitchell, Mullings, O'Bannon of Pettis, Pauley, Sanford, Squires, Walker, Wight of Vernon, Wilkes and Worden—40.

Absent—Messrs. Asher, Brown from Howard, Butler, Frost and Mr. Speaker—5.

Absent with leave—Messrs. Beltrami, Bradshaw, Bunch, Hammett, Kitchen, McAllister, Shewalter, Sloan, Stancil, Steele, Wielandy and Williams of Audrain—12.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Buller offered the following resolution:

Resolved, That the rules of the House relating to the drawing of bills be amended so as to provide that when a chapter or section of the General Statutes is sought to be amended, the title to such amendment shall also refer to the chapter and section of Wagner's Statutes, thus:

An act to amend section seven, chapter one hundred and twelve of the General Statutes of Missouri, concerning voluntary assignments, the same being section seven of chapter nine of Wagner's Statutes.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. Section seven of one hundred and twelve of the General Statutes of Missouri, being section seven of chapter nine of Wagner's Statutes is hereby amended so as to read as follows: Section 7. The appraisers shall each receive four dollars per day for their attendance.

SEC. 2. This act to take effect and be in force from and after its passage;

Which was read and adopted.

Mr. Dean offered the following resolution:

Be it resolved by this House, That no member be allowed to speak more than ten minutes upon the same subject, except by unanimous consent of the House;

Which was read.

Mr. Neal moved to lay the resolution on the table;

Which was agreed to.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature

House bill No. 20, entitled

An act entitled an act to provide for the collection of delinquent taxes in the city of St. Joseph, Missouri, due said city on real estate for the year 1870.

On motion of Mr. Neal,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, FEBRUARY 2, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Borg,
The further reading of the journal was dispensed with.

The Speaker announced as the special committee to investigate the sale of bank stock to James B. Eads, Messrs. Shields, 8th district; Mortell, 1st district; Richardson, 2d district; Kitchen, 3d district; Cloud, 4th district; Wielandy, 5th district; Mitchell, 6th district; Moore of Livingston, 7th district; Murray, 9th district;
Which was read.

The Speaker laid before the House the report of the State Librarian.

Mr. O'Bannon of Pettis offered the following resolution :

Resolved, That three hundred copies of the catalogue of the State Library, together with an index of the same by subjects, be printed under the direction of the State Librarian; and that one hundred copies be for the use of the Librarian, and two hundred for the use of the House;

Which was read and adopted.

Mr. Chilton offered the following resolution :

Resolved, That the House of Representatives meet at 9 o'clock in the morning and at 1½ in the afternoon, from and after this date.

On motion of Mr. Martin of St. Louis,

The resolution was laid on the table.

Mr. Bell offered the following resolution :

Resolved, That the St. Louis Delegation be and are hereby authorized to employ a clerk.

On motion of Mr. Burrows,

The resolution was laid on the table.

Mr. Neal offered the following resolution :

Resolved, That the night watchman appointed by the Doorkeeper, be allowed the same per day as is allowed the night watchman appointed by the Commissioner on Permanent Seat of Government;

Which was read, and, on motion,

Referred to the Committee on Accounts.

Mr. Richardson offered the following resolution :

Resolved, That the Secretary of State be and is hereby authorized and requested to furnish, for the use of the Committee on Claims and this House, the original Senate bill No. 247, and its substitutes, in relation to the piping furnished the capital building by Siegel & Bobb; Which was read and adopted.

Mr. Neal introduced a bill entitled

An act to regulate the sale of liquors by dealers in drugs and medicines;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence, and 150 copies ordered printed.

Mr. Goodson introduced a bill entitled

An act supplementary to an act entitled an act to incorporate the City of Macon, and for other purposes, approved December 31, 1859, and acts amendatory thereof and supplementary thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Von Kochtitzky introduced a bill entitled

An act to provide for the fencing of railroads;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture, and 150 copies ordered printed.

Mr. Cloud introduced a bill entitled

An act to amend chapter one hundred and sixty-five of the General Statutes, the same being article — of chapter one hundred and ten of Wagner's Statutes, relating to printing titles;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Haas introduced a bill entitled

An act to amend a section of the thirteenth chapter, second article of the General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Elections, and 150 copies ordered printed.

Mr. Crockett introduced a bill entitled

An act to repeal sections 131, 132, 133, 134, 135, 136 and 137, chapter thirteen of General Statutes of Missouri, in regard to the collection of revenue;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Mabrey introduced a bill entitled

An act for the improvement of Current river;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements, and 150 copies ordered printed.

Mr. Pauley offered the following resolution:

WHEREAS, The Committee on Manufacture desire to obtain the number of steam engines and boilers in this State, for information; therefore be it

Resolved, That the Representative of each district report in writing, as near as possible, the number of engines and boilers in their respective districts to the Clerk of the House, by Monday next;

Which was read and adopted.

Mr. Stone offered the following resolution:

Resolved, That the Secretary of State be requested to furnish this House all papers in the matter of controversy between Thomas Allen and the State of Missouri in regard to the purchase and completion of the St. Louis and Iron Mountain railroad, and that the papers be referred to the Committee on Internal Improvements;

Which was read and adopted.

The Speaker announced the following Joint Committee on Revenue on the part of the House: Messrs. Knott, McMillan and Leeper;

Which was read.

Mr. Wielandy offered the following resolution:

Resolved, That the Speaker is hereby empowered to appoint an additional member on the Committee on Agriculture;

Which was read and adopted.

The Speaker announced that Mr. Hickman was added to the Committee on Agriculture, and Mr. Knott to the Committee on Penitentiary, in place of Mr. Abbott.

Mr. Edwards introduced a bill entitled

An act to amend section nineteen of chapter eighteen of the General Statutes of Missouri, concerning bills of exchange and promissory notes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary and 150 copies ordered printed.

Mr. Pope introduced a bill entitled

An act to amend section five of chapter one hundred and eighty-four of the General Statutes of Missouri, which is section five of article seven of chapter eighty-two of Wagner's Statutes;.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Justices of the Peace, and 150 copies ordered printed.

• Mr. Logan introduced a bill entitled

An act to amend chapter twelve of the General Statutes of Missouri, relating to the duties of executors and administrators respect-

ing money and property, the same being article two of chapter two of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Logan introduced a bill entitled

An act to amend section nine of chapter one hundred and twenty-four of the General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary and 150 copies ordered printed.

Mr. Logan introduced a bill entitled

An act for the relief of George Burkhard;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Local Bills.

Mr. Collier introduced a bill entitled

An act to establish a probate court in Perry county;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Local Bills.

Mr. Dean introduced a bill entitled

An act to amend section eight of chapter ninety-eight of the General Statutes, 1865, being chapter forty-eight of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Hooper introduced a bill entitled

An act to revive an act entitled an act regulating executions, approved December 13, 1855;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Bulkley introduced a bill entitled

An act to amend section sixteen of an act entitled an act to provide for the reorganization and support of public schools, and to revive and amend laws relating thereto, and repeal certain acts and parts of acts;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Education, and 150 copies ordered printed.

Mr. Sorrell introduced a bill entitled

An act to amend section one of chapter one hundred and ninety-seven of the General Statutes of Missouri, respecting liens;

Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Judiciary.

Mr. Edwards introduced a bill entitled
An act to amend an act entitled an act to amend and reduce into one act an act entitled an act to incorporate the city of St. Charles, approved March 10, 1849, and the several acts amendatory thereto, approved March 1, 1869;

Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Local Bills.

Mr. Bennett introduced a bill entitled
An act to amend chapter one hundred and twenty-two of the General Statutes, in relation to sales of real estate made by administrators;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Randall introduced a bill entitled
An act to amend section seventeen of chapter sixty-three of the General Statutes, the same being section seventeen, article two of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Scoville introduced a bill entitled
An act to amend section fifty of chapter one hundred and forty-three of the General Statutes of Missouri, concerning evidence, statutes, public records and documents;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Neal introduced a bill entitled
An act to establish the 26th judicial circuit;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Judiciary.

Mr. Colcord introduced a bill entitled
An act to amend an act entitled an act to provide for the registration of voters, approved December 16, 1865;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Elections, and 150 copies ordered printed.

Mr. Colcord introduced a bill entitled

An act to prohibit any person, not a licensed attorney at law or a party plaintiff or defendant to the suit, from practicing law before justices of the peace;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Criminal Jurisprudence, and 150 copies ordered printed.

Mr. Colcord introduced a bill entitled

An act in relation to the costs of certified records used as evidence in judicial proceedings;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Neal introduced a bill entitled

An act restricting county courts in borrowing money and raising tax for certain county improvements;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Shafer introduced a bill entitled

An act to amend section one of chapter thirty-six of the General Statutes of Missouri, relating to county buildings;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Brown of Monroe introduced a bill entitled

An act to establish a reasonable maximum rate of charges for the transportation of passengers on the different railroads of this State;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Internal Improvements, and 150 copies ordered printed.

Mr. Harmon introduced a bill, entitled

An act to amend section five, General Statutes, chapter one hundred and sixty-five, being section five, chapter five, Wagner's Statutes, pleadings and the rules of pleadings;

Read first time, rules suspended, read second time and

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Davis introduced a bill entitled

An act to amend section twenty-five, chapter two hundred and one of the General Statutes of Missouri, of offenses against public and private property, the same being section twenty-five of article three of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence, and 150 copies ordered printed.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House substitute for Senate bill No. 31, entitled

An act to appropriate money,

And passed the same;

Which was read.

Mr. Borg introduced a bill entitled

An act to amend section nine of chapter seventeen of the General Statutes of the State of Missouri, in relation to billiard tables;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Criminal Jurisprudence, and 150 copies ordered printed.

Mr. Wielandy introduced a bill entitled

An act to amend section three (3) and six (6) of chapter fifty-nine (59) of the General Statutes, being section three (3) and six (6) of chapter four (4), page 126 of Wagner's Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture, and 150 copies ordered printed.

Mr. Haas introduced a bill entitled

An act to amend section six of an act of the General Statutes of Missouri, entitled an act to provide for the organization and support of public schools, and to revise and amend laws relating thereto, and repeal certain acts and parts of acts, being section six of article one, chapter one hundred and twenty-three of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education, and 150 copies ordered printed.

Mr. Smith introduced a bill entitled

An act concerning fees, and amendatory and supplementary to chapter thirty-two of the General Statutes of Missouri, entitled of fees, the same being chapter fifty-six of Wagner's Missouri Statutes, entitled "fees;"

Read first time, rules suspended, read second time and

Referred to Committee on Judiciary.

Mr. Bosbyshell introduced a bill entitled

An act to provide for the better protection of life and limb in public buildings;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Benevolent and Scientific Institutions, and 150 copies ordered printed.

Mr. Moore of Livingston introduced a bill entitled

An act to amend chapter one hundred and ten, entitled practice in civil cases, of the the General Statutes of Missouri, approved March

20, 1866, being section twelve, article five, chapter ten of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Gates introduced a bill, entitled,

An act to establish the county of Bourbon, and to change the boundary lines of Cass, Jackson, Lafayette, Johnson and Henry counties therefor;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Mr. Buller introduced a bill entitled

An act in relation to the rights and property of husbands and wives;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Buller introduced a bill entitled

An act to amend section twenty-two of chapter one hundred and forty six of the General Statutes, concerning juries, the same being section twenty-two of chapter eighty of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

Mr. Mullings introduced a bill entitled

An act to provide for the better securing of policy holders in mutual life insurance companies, and to require the deposit of certain securities with the Superintendent of the Insurance Department;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Insurance, and 150 copies ordered printed.

Mr. Cloud introduced a bill entitled

An act to amend section six of an act entitled an act to amend an act entitled an act to establish a court of common pleas with probate jurisdiction in the county of Jasper, and approved March 4, 1869, approved February 1, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Cloud introduced a bill entitled

An act to amend section eighteen of chapter fifty-two of the General Statutes of Missouri, the same being section eighteen of chapter fifty-six of Wagner's Statutes, entitled "of fees;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Buller introduced a bill entitled

An act to provide for the relinquishing to the United States land erroneously patented to the State of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Swamp Lands, and 150 copies ordered printed.

Mr. Smith introduced a bill entitled

An act to amend the charter of the city of Liberty;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Ballard introduced a bill entitled

An act to amend an act entitled an act protecting fisheries in Platte county, approved February 20, 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture.

Mr. Dean introduced a bill entitled

An act to amend section one of chapter one hundred and thirty-seven, General Statutes of 1865, being section one of article five of chapter forty-one of the Wagner Statutes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary, and 150 copies ordered printed.

The Speaker presented a memorial of the Woman Suffrage Association of Missouri, asking for the elective franchise;

Which was read, and, on motion,

Referred to Committee on Federal Relations.

Mr. Thomas introduced a bill entitled

An act to amend section thirty-one, chapter forty-one, Wagner's Statutes, section thirty-one, chapter one hundred and thirty-three, General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary.

The hour for the special order having arrived, being the consideration of

House bill No. 8, and substitute therefor,

Was taken up and adopted.

Mr. Stone offered the following amendment:

SEC. 4. The commissioners are hereby authorized to use, under the direction of the Warden of the Penitentiary, any unemployed labor that may be made available in the grading, excavation and rock work for the Executive Mansion;

Which was read and adopted.

Mr. Claiborne offered the following amendment:
Insert after "Governor," the words "Attorney General;"
Which was read and agreed to.

Mr. McMillan offered the following amendment:
Substitute after word "bond," in section three, the words "in such sum as shall be approved by the board of commissioners;"
Which was read and agreed to.

On motion of Mr. Goodson,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Leeper moved to reconsider the resolution ordering the printing of bills.

Mr. Neal moved the previous question;

Which was agreed to.

The question then recurred upon the motion of Mr. Leeper to reconsider the resolution;

The ayes and noes having been demanded it was agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burrows, Burton, Ohlton, Claiborne, Clark, Colcord, Coleman, Collier, Davis, Dean, Dent, Doak, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Hackman, Hickman, Howell, Hubbell, Knott, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Sloan, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Williams of Morgan, Worden and Mr. Speaker—99.

NOES—Messrs. Buller, Bunch, Cloud, Crockett, Dod, Dolman, Fassen, Gray, Harmon, Hooper, Lamson, McMillan, Moore of Livingston, Schooley, Shafer, Shields, Sides, Wight of Vernon and Wilkes—19.

Absent—Messrs. Asher, Barnes, Haas, Hammett, Hutt, Moore of Stone, Newman and Walker—8.

Absent with leave—Messrs. Beltrami, Butler, Hardin, Kitchen, McAllister, Shewalter, Stancil, Steele, and Williams of Audrain—9.

Sick—Messrs. Gratiot, and O'Bannan of Dallas—2.

Mr. Leeper offered the following resolution :

Resolved, That all bills, shall be printed of a general character, which are acted upon by a committee, and are reported upon favorably, unless otherwise ordered by the House ;

Which was read and, on motion,

Referred to Committee on Printing, with instructions to report at 10 A. M., to-morrow.

Mr. Myers offered the following resolution :

Resolved, That hereafter the chairman of all committees to whom bills of a general character are referred, shall cause to be printed and laid upon the desk of each member of this House, a copy of all bills favorably considered by such committee, and that no such bill shall be finally acted upon by this House until at least twenty-four hours after such copies of bills are so furnished members ;

Which was read, and, on motion,

Referred to Committee on Printing, with instructions to report at 10 A. M., Friday.

Mr. Marshall introduced the following resolution :

Resolved, That hereafter no bill or resolution introduced into this House shall be printed unless ordered at the time of its introduction, or reported back to the House by the proper committee, with a recommendation that the same do pass, in which case every such bill or resolution shall lie over and be printed and distributed at least one day before the third reading of the same ;

Which was read, and on motion,

Referred to the Committee on Printing, and ordered to report at 10 A. M.

The House resumed the consideration of
Substitute for House bill No. 8.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills have this day presented to the Governor for his signature bills of the following titles:

Senate bill No. 24, entitled

An act establishing a probate court in the county of Jackson ;

Senate bill No. 21, entitled

An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof ;

Which was read.

Mr. Davis offered the following amendment to the substitute for House bill No. 8:

Amend section one by striking out "grounds belonging to the State of Missouri" and insert "on grounds purchased from the city of

St. Louis by the Governor, Auditor, Treasurer, Attorney General and the Hon. Wielandy—the proposed commissioner ;

Which was read.

Mr. Neal moved to lay the amendment on the table,

And the ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Ballard, Barnes, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buckley, Buller, Bunch, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Edwards, Eubanks, Gates, Goodson, Harmon, Hooper, Hubbell, Knott, Lamson, Latshaw, Leeper, Logan, Marshall, McAllister, McPike, Miller, Ming, Mullings, Murphy, Norris, O'Bannon of Pettis, Raney, Randall, Ray, Robinson, Rolston, Sanford, Schooley, Shafer, Sharp, Steele, Stone, Squires, Thomas, Von Kochtitzky, White of Texas, Wilkes, Worden and Mr. Speaker—68.

NOES—Messrs. Asher, Auer, Barrett, Bell, Bittinger, Burrows, Burton, Cloud, Colcord, Doak, Dolle, Dolman, Edens, Fassen, Frost, George, Girdner, Gray, Hickman, Howell, Koch, Kost, Langston, Leach, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Mitchell, Moore of Livingston, Mortell, Myers, Neal, Pauley, Pope, Richardson, Samuel, Scoville, Shields, Sloan, Smith, Sorrell, Turner, Van Roden, Walker, Wielandy, Wight of Vernon and Williams of Morgan—50.

Absent—Messrs. Butler, Chilton, Haas, Hackman, Hammett, Hardin, Hutt, Kitchen, Moore of Stone, Murray, Newman, Sides, Stancil and Williams of Audrain—14.

Absent with leave—Messrs. Beltrami and Shewalter—2.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Bulkley moved to reconsider the vote by which the vote to lay on the table was adopted.

Mr. Brown of Howard moved to lay the motion to reconsider on the table.

The ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Ballard, Barnes, Bass, Bennett, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edwards, Eubanks, Gates, Girdner, Goodson, Hackman, Harmon, Hooper, Hubbell, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McPike, Miller, Ming, Mullings, Murphy, Murray, Myers, Norris, O'Bannon of Pettis, Raney, Randall, Ray, Robinson, Rolston, Sanford, Schooley, Shafer, Sharp, Stone, Thomas, Von Kochtitzky, Wilkes, Worden and Mr. Speaker—74.

NOES—Messrs. Auer, Barrett, Bell, Bittinger, Bohn, Bulkley, Burton, Claiborne, Cloud, Colcord, Dolle, Dolman, Edens, Fassen,

Frost, George, Gray, Hickman, Howell, Knott, Koch, Leach, Mabrey, McMillan, Mortell, Neal, Pauley, Pope, Richardson, Samuel, Scoville, Shields, Sorrell, Squires, Turner, Van Roden, Walker, Wielandy, White of Texas, Wight of Vernon and Williams of Morgan—41.

Absent—Messrs. Asher, Chilton, Haas, Mitchell, Moore of Livings-ton, Moore of Stone, Sides, Sloan and Smith—9.

Absent with leave—Messrs. Beltrami, Butler, Hammett, Hardin, Hutt, Kitchen, Newman, Shewalter, Stancil, Steele and Williams of Audrain—11.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Wilkes introduced a concurrent resolution asking Congress to pass a law authorizing the location of swamp land indemnity scrips upon any lands belonging to the United States subject to entry ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Federal Relations.

Mr. Brown of Howard offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the two Houses adjourn on the second day of March next at 12 o'clock, m., unto the first Wednesday in January, 1872 ;

Which was read.

Mr. Neal offered the following substitute :

Strike out all after the words "the Senate concurring therein" and insert as follows :

"That the two Houses of the 26th General Assembly of Missouri do adjourn at the hour of 12 o'clock, m., on Wednesday, March 1st, 1871, unto the first Wednesday of December, 1871 ;

Which was read, and,

On motion of Mr. Mullings,

Referred to Committee on Unfinished Business.

Mr. Wilkes introduced a concurrent resolution entitled

Concurrent resolution of inquiry ;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Chilton, Clark, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Gardner, Goodson, Gray, Hackman, Harmon, Hickman, Hooper, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shaffer, Sharp, Sides, Sloan, Smith, Sorrell, Stone, Squires, Thomas, Tur-

ner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—121.

NOES—None.

Absent—Messrs. Howell and Kitchen—2.

Absent with leave—Messrs. Beltrami, Butler, Dean, Miller, Moore of Stone, Shewalter, Stancil, Steele and Williams of Audrain—9.

Sick—Messrs. Gratiot, Haas, Hammett, Hardin and O'Bannan of Dallas—5.

Mr. Martin of St. Louis, of Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have this day presented to the Governor for his signature,
Substitute for Senate bill No. 31, entitled
An act to appropriate money;
Which was read.

The following communication was received from his Excellency, Governor Brown, by his secretary, Mr. Judson:

JEFFERSON CITY, Mo., February 2, 1871.

To the Honorable Speaker of the House of Representatives:

I have approved House concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their influence in favor of reapportioning the Congressional representation upon the basis of the census of 1870.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred
House bill No. 33, entitled

An act to amend sections twelve and thirteen of chapter twenty-six of the General Statutes of Missouri, concerning the recorder of deeds, the same being sections twelve and thirteen of chapter one hundred and fifteen of Wagner's Statutes of Missouri, concerning the recorder of deeds,

Have had the same under consideration, and have instructed me to report it back with recommendations that it pass.

House bill No. 33, entitled

An act to amend sections twelve and thirteen of chapter twenty-six of the General Statutes of Missouri, concerning recorder of deeds, the same being sections twelve and thirteen of chapter one hundred and fifteen of Wagner's Statutes of Missouri, concerning recorder of deeds,

Was taken up.

Mr. Buller offered the following amendment:

Amend by striking out of the title the words, "of Missouri, concerning the recorder of deeds," being the last line of the title;

Which was read and agreed to.

The rules suspended, read the third time, and the bill, as amended, passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—113.

NOES—None.

Absent—Messrs. Barnes, Bunch, Bell, Dean, Edens, Edwards, Fassen, Marlin and Sanford—9.

Absent with leave—Messrs. Beltrami, Butler, Haas, Hammett, Hardin, Hutt, Kitchen, Moore of Stone, Shewalter, Sloan, Stancil, Steele and Williams of Audrain—13.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Sceville moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table;

Which was agreed to.

On motion of Mr. Neal,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, FEBRUARY, 3, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Mr. Pugh.

The journal of yesterday was being read, when,
On motion of Mr. Burrows,
The further reading of the journal was dispensed with.

Mr. McMillan introduced a bill entitled

An act to amend sections one, forty-eight, fifty-five, seventy-three and seventy-six of chapter thirty-four of the General Statutes of the State of Missouri, concerning counties and county boundaries, and adding a new section thereto, creating and establishing the county of Richland;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Mr. Brown of Howard, introduced a bill entitled

An act to adjust certain debts and damages between the State of Missouri and the South Pacific Railroad Company by mutual releases.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Wight of Vernon, introduced a bill entitled

An act to establish a common pleas court in Vernon county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Von Kochtitzky introduced a bill entitled

An act to amend section thirteen, chapter twenty-four of the General Statutes, being section thirteen, chapter twenty-nine, Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Koch introduced a bill entitled

An act to subject certain debts owing to non-residents to taxation;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Ways and Means.

Mr. Adams of Gentry, introduced a bill entitled

An act to amend an act entitled an act changing the time of holding the circuit court of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the twelfth judicial circuit, and granting to said counties an additional term of said courts, and to provide for the payment by said counties of a compensation to the judge of the twelfth judicial circuit in addition to his present salary ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the members of the twelfth judicial circuit.

Mr. Wight of Vernon, introduced a bill entitled

An act to provide for the better security of county subscriptions to the stock of railroad companies;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Neal offered the following resolution :

Resolved, That the Doorkeeper be authorized to open an account with the postmistress of Jefferson City for postage stamps, and that he be instructed to stamp all printed matter deposited with him by the members of the House for the mail ;

Which was read, and, on motion,

Laid on the table.

Mr. Brown of Monroe, introduced a bill entitled

An act to establish the Monroe City Court of Common Pleas ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. O'Bannon of Pettis, introduced a bill entitled

An act to establish a probate court in the county of Pettis ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Mortell introduced a bill entitled

An act to amend section twenty-eight, chapter one hundred and sixteen of the General Statutes of Missouri, section twenty-eight, chapter sixty-six of Wagner's Statutes ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Goodson introduced a bill entitled

An act to establish the 25th judicial circuit, and to repeal certain laws ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Mortell introduced a bill entitled

An act to appropriate money to pay T. W. Brady for plans and specifications for a Governor's mansion ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Moore of Livingston, introduced a bill entitled

An act to amend sections two and twelve of an act entitled an act to incorporate the Lexington and Utica Railroad Company ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr. Bittinger introduced a bill entitled

An act to amend an act entitled an act concerning State normal schools, approved March 19, 1870 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Bittinger introduced a bill entitled

An act to amend sections twelve and fifteen, title XXXIV of chapter one hundred and sixty-five of the General Statutes of Missouri, the same being sections twelve and fifteen of article five of chapter one hundred and ten of Wagner's Statutes, relating to practice in civil cases ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Goodson introduced a bill entitled

An act to amend sections six and sixteen of an act entitled an act to amend an act entitled an act to provide for the organization and support of public schools, and revise and amend laws relating thereto ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

On motion, leave of absence was granted to Mr. Knott for two days.

Mr. Neal presented the petition of citizens of Harrison county asking an amendment to the homestead law ;

Which was read, and, on motion,

Referred to Committee on Judiciary.

Mr. Barrett, of the Committee on Printing, submitted the following report :

MR. SPEAKER: The Committee on Printing to whom was referred sundry resolutions concerning the printing of bills, etc., beg leave to report that they have given the matter due consideration, and in view of the fact that a large number of bills are printed for the consideration of this House, of which but few can ever receive favorable action, we recommend that none be printed but such as may be of

a public character, and then only on the favorable recommendation of the committee having them in charge. We, therefore, submit the accompanying resolution and recommend its adoption :

Resolved, That no bills be printed but such as may be of a public character, and on the recommendation of the committee having the same in charge, and that no such bill be ordered to a third reading, until the day after it shall have been printed and laid upon the desks of members;

Which was read and adopted.

Mr. Logan introduced a bill entitled

An act to amend chapter one hundred and thirteen of General Statutes of Missouri, entitled "of marriage and marriage contracts;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Breazeale introduced a bill entitled

An act for the relief of counties whose court houses or jails were burned and destroyed during the late war;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 29, entitled

An act to provide a uniform system of assessing and collecting taxes on railroads,

Have had the same under consideration, and respectfully recommend that it do pass with the accompanying amendments;

Which was read.

House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads,

Was taken up.

The following amendments as recommended by the committee:

Amend section four by striking out all after the word "February" in second line, and insert "April."

Amend section ten by striking out all after the word "receive," in third line, and substitute the following: "as compensation five dollars per day for the actual time employed,"

Were agreed to.

Mr. Hooper offered the following amendment:

Amend section twelve by adding, after the word "purpose," in seventh line, the following: "not including school, special and road taxes."

The further consideration of the bill and amendments was postponed until February 8, at 11 o'clock, A. M., and made special order for that hour.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 33, entitled

An act to authorize the Kansas City, St. Joseph and Council Bluffs Railroad Company to change the route of its railroad between the city of St. Joseph and the city of Savannah,

Would respectfully report that they have considered the same, and recommend that the bill do pass;

Which was read.

Senate bill No. 33, entitled

An act to authorize the Kansas City, St. Joseph and Council Bluff Railroad Company to change the route of its railroad between the city of St. Joseph and the city of Savannah,

Was taken up, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Steele, Stone, Squires, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon, Wilkes, Worden and Mr. Speaker—106.

NOES—Mr. McMillan—1.

Absent—Messrs. Bennett, Bulkley, Dent, Gates, Kost, Logan, Martin of St. Louis, Moore of Stone, Randall, Sanford, Sloan, Thomas, Wielandy, and Williams of Morgan—14.

Absent with leave—Messrs. Ballard, Beltrami, Coleman, Dean, Haas, Hammett, Hutt, Kitchen, Knott, Shewalter, Stancil, Turner, Walker and Williams of Audrain—14.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Shafer moved to reconsider the vote by which the bill passed.
Mr. Shafer moved to lay his motion to reconsider on the table;
Which was agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed:

House bill No. 82, entitled

An act to repeal an act to amend chapter forty-nine of the General Statutes of Missouri concerning school lands, approved February 2, 1870;

Which was read.

Mr. Maupin, of the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred certain resolutions relating to the recent amendments to the Constitution of the United States, the policy of reconstruction, and the payment of public debts, both State and National, have had the same under consideration, and a majority of said committee instruct me to report the following concurrent resolutions, and to recommend their adoption:

Concurrent resolutions:

Resolved, 1st, As the sense of the General Assembly of the State of Missouri, both Houses concurring therein, that the oath of its members to support the Constitution of the United States, including all amendments thereto, is the only indorsement of such amendments which public duty requires.

2d. That as the fourteenth amendment recently adopted by the action of three-fourths of the States of the Union imposes political disabilities on large classes of the people of the Southern States, and places it in the power of Congress to perpetuate the same, and as such disabilities are directly at variance with the recent overwhelming popular verdict of this State, we deem it our duty to use all legal means in our power to give full force and effect to the judgment of the people so emphatically rendered in condemnation of such disabilities, and in favor of their speedy removal, in order that all citizens may be equal before the law, and equal in the popular sovereignty which forms the only just basis of Republican institutions.

3d. That, waiving all questions of the past as to the authority of Congress to abridge the territorial limits, or remodel the local governments of the States lately in rebellion, we acquiesce in the reconstruction of those States so far as the same has been accomplished with the assent and co-operation of the people thereof.

4th. That regarding the maintenance of the public faith as the first duty of legislative bodies, we are in favor of the liquidation of all public debts, whether State or National, in strict accordance with the contracts by which they were created.

5th. That we hail the recent triumph of the Liberal ticket in this State over intolerance, proscription, and the active and unwarranted interposition of the Federal elections as the beginning of a new era, in which good will, and the popular assent as the foundation of authority, supercedes hate and military force, and in view of its beneficent and glorious results we are proud to recognize the noble leaders by whom it was achieved as worthy of all honor, and entitled to the lasting gratitude of an emancipated people.

Mr. Asher, of the Committee on Federal Relations, submitted the following report:

Resolved, 1st, That we, the Representatives of the people of the State of Missouri in the House of Representatives of the Twenty-sixth General Assembly, the Senate concurring therein, do cordially indorse the 13th, 14th and 15th amendments to the Constitution of the United States, and the reconstruction acts of Congress.

2d. That, as the 14th amendment imposes political disabilities on large classes of the people of the Southern States, and leaves it in the power of Congress to perpetuate or remove the same, we are in favor of the removal of such disabilities as soon as it can be done with justice to all classes, regardless of race, color or previous con-

dition of servitude, or participation in the rebellion, insuring to all equal rights before the law.

3d. That, as a measure of safety and protection in times of foreign war or internal rebellion, we hold that Congress has the Constitutional right and power to disfranchise those who participate in rebellion against the Government of the United States.

4th. That regarding the maintenance of the public faith as the first duty of legislative bodies, we are in favor of the liquidation of all public debts, whether State or National, in strict accordance with the contracts by which they were created.

5th. That we are opposed to any indemnity, by either the State or National Governments, to disloyal persons for slaves liberated or property destroyed during the late rebellion, and to the payment of any indebtedness contracted by the so-called Confederate States during the time of the existence of said rebellion.

6th. That, with an earnest desire for oblivion of the past and for peace and harmony in the future, we solicit the co-operation of all who will unite with us in the support of the foregoing principles for the future development of a true national greatness, and the prosperity of our own State.

The consideration of the reports were postponed until February 23, 1871.

Mr. Maupin, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred

House concurrent resolution No. 16,

Asking our Senators and Representatives to vote for a bill to grant pensions to the surviving soldiers of the war of 1812, and widows of such soldiers as are deceased,

Have had the same under consideration, and recommend its passage:

Which was read.

House concurrent resolution No. 16,

Was taken up, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Brown of Howard, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Lamson, Langston, Latshaw, Leach, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Worden and Mr. Speaker—108.

NOES—Messrs. Leeper and Schooley—2.

Absent—Messrs Marlin and Sanford—2.

Absent with leave—Messrs. Ballard, Beltrami, Bennett, Buckham, Coleman, Dean, Gates, Haas, Hammett, Hutt, Kitchen, Knott, Kost, Logan, Moore of Stone, Randall, Shewalter, Sloan, Stancil, Turner, Walker, Williams of Audrain and Williams of Morgan—23.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Maupin, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred

House resolution No. 19, entitled

Joint resolution memorializing Congress to make an appropriation for the building of a Postoffice and United States Court room at the State Capitol,

Beg leave to report that they have considered the same and recommend its passage;

Which was read.

House concurrent resolution No. 19,

Was taken up,

The rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sides, Smith, Sorrell, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Worden and Mr. Speaker—107.

NOES—Messrs. Brown of Howard, Crockett and Sanford—3.

Absent—Messrs. Collier, Dean, Gates, Logan, Schooley, Squires, and Williams of Morgan—7.

Absent with leave—Messrs. Ballard, Beltrami, Bennett, Coleman, Haas, Hammett, Hutt, Kitchen, Knott, Kost, Moore of Stone, O'Bannon of Dallas, Randall, Shewalter, Sloan, Stancil, Turner, Walker, and Williams of Audrain—19.

Sick—Mr. Gratiot—1.

Mr. Von Kochtitzky, of the Committee on Militia, submitted the following report:

MR. SPEAKER: The Committee on Militia respectfully present the accompanying concurrent resolution, to transfer arms to the State University, to be used for the purpose of instructing students in military drill, and ask that said resolution be adopted:

Which was read.

The concurrent resolution as recommended by the committee, entitled

Concurrent resolution for the transfer of arms,

Was taken up,

Read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Murray, of the Committee on Criminal Jurisprudence submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence beg leave to report that they have had under consideration

House bill No. 23,

To repeal the act to provide for the registration of voters, approved March 31, 1868;

That they report the same back to the House, and recommend that it be referred to the appropriate committee, viz.: the Committee on Elections, to which similar bills have been referred;

Which was read.

House bill No. 23, entitled

An act to repeal the act to provide for the registration of voters, approved March 31, 1868;

Was taken up,

The rules suspended, read the third time, and, on motion,

Referred to Committee on Elections.

Mr Murray of the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: The Committee on Criminal Jurisprudence, to whom was referred

House bill No. 92,

State that they have duly considered said bill; that they report the same back to the House, and recommend that it be indefinitely postponed;

Which was read.

House bill No. 92, entitled

An act to amend section eight of article eight, chapter forty-two of Wagner's Missouri Statutes;

Was taken up.

Mr. Mullings moved to lay the motion to indefinitely postpone on the table,

Which was agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Alsup, Auer, Barrett, Bass, Bell, Bohn, Borg, Bradshaw, Breazeale, Brown of Howard, Bunch, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Dent, Dolle, Dolman, Edens, Fassen, Frost, George, Girdner, Goodson, Hackman, Harmon, Hickman, Howell, Hubbell, Hutt, Lamson, Langston, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, McPike, Moore of Livingston, Mullings, Neal, Newman, Norris, Pope, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Thomas, Von Kochtitzky, and Worden—61.

NOES—Messrs. Abington, Adams of Butler, Applegate, Asher, Barnes, Bittinger, Buckham, Bulkley, Buller, Chilton, Davis, Doak, Edwards, Eubanks, Gray, Hardin, Hooper, Koch, Latshaw, Leach, Marshall, Martin of St. Louis, Miller, Ming, Mitchell, Mortell, Murphy, Murray, Myers, O'Bannon of Pettis, Raney, Schooley, Sides, Smith, Sorrell, Stone, Squires, Van Roden, Wielandy, Wight of Vernon and Wilkes—41.

Absent—Messrs. Ballard, Beltrami, Bennett, Bosbyshell, Brown of Monroe, Burrows, Butler, Coleman, Dean, Dod, Gates, McAllister, McMillan, Moore of Stone, Pauley, Randall, Sanford, Sloan, Steele, Turner, White of Texas, Williams of Morgan and Mr. Speaker—23.

Absent with leave—Messrs. Haas, Hammett, Kitchen, Knott, Kost, Logan, Shewalter, Stancil, Walker, and Williams of Audrain—10.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Stone moved to adjourn until Monday morning at 10 o'clock; The ayes and nays having been demanded, was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Butler, Claiborne, Colcord, Collier, Edens, Fassen, Gates, Goodson, Hackman, Hardin, Hooper, Koch, Latshaw, Marshall, Martin of St. Louis, Maupin, McMillan, Moore of Livingston, Mortell, Mullings, Murray, Neal, Pauley, Pope, Ray, Robinson, Scoville, Shafer, Sharp, Shields, Smith, Sorrell, Stone, Squires, Thomas, Wight of Vernon, Williams of Morgan and Worden—50.

NOES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barrett, Bass, Bennett, Breazeale, Bulkley, Buller, Bunch, Burrows, Burton, Chilton, Clark, Cloud, Crockett, Davis, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, George, Girdner, Gray, Harmon, Hickman, Howell, Hubbell, Lamson, Langston, Leach, Leeper, Marlin, Martin of Caldwell, Mabrey, McPike, Miller, Ming, Mitchell, Murphy, Newman, Norris, O'Bannon of Pettis, Raney, Richardson, Rolston, Samuel, Schooley, Sides, Steele, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wilkes and Mr. Speaker—63.

Absent with leave—Messrs. Beltrami, Barnes, Buckham, Coleman, Dean, Doak, Haas, Hammett, Hutt, Kitchen, Knott, Kost, Logan, McAllister, Moore of Stone, Myers, Randall, Sanford, Shewalter, Sloan, Stancil and Williams of Audrain—22.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

On motion of Mr. Neal,
The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Richardson moved to postpone the regular order, being the consideration of

House bill No. 114,
Until Tuesday next at 11 o'clock;
Which was agreed to.

Mr. McMillan introduced a bill entitled

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21st, 1857;

Which was read the first time, the rules suspended, read the second time, and, on motion

Referred to the Committee on Internal Improvements.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House concurrent resolution No. 9, entitled

Concurrent resolution to investigate the location of the Normal Schools,

And passed the same.

And that the President has appointed on said committee on the part of the Senate, Senators Greene and Benecke.

Also, the following entitled bill has been introduced into the Senate, and passed that body:

Senate bill No. 9, entitled

An act amendatory of and supplementary to the charter of the city of St. Joseph;

In which the concurrence of the House is respectfully requested.
Which was read.

Mr. Myers moved to reconsider the vote by which the Committee on Claims were instructed to report by bill only on the claim of Siegel & Bobb.

Mr. Mullings moved that when this House adjourn, it adjourn until 10 o'clock to-morrow morning.

The ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Asher, Auer, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Buckham, Bul-ler, Bunch, Butler, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dolle, Edens, Edwards, Fassen, Frost, Gray, Hackman, Hickman, Howell, Hubbell, Lamson, Langston, Latshaw, Leach,

Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Mullings, Murphy, Murray, Myers, Neal, Newman, O'Bannon of Pettis, Pauley, Pope, Raney, Richardson, Rolston, Schooley, Scoville, Shafer, Sharp, Shields, Smith, Sorrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Worden and Mr. Speaker—76.

NOES—Messrs. Adams of Butler, Alsup, Applegate, Bennett, Breazeale, Bulkley, Burrows, Burton, Chilton, Coleman, Dod, Eubanks, George, Girdner, Goodson, Harmon, Leeper, Martin of Caldwell, Miller, Norris, Samuel, Sanford, Sides, Turner, Wielandy and White of Texas—26.

Absent—Messrs. Adams of Gentry, Dolman, Hooper, Koch, Mortell, Randall, Ray and Robinson—8.

Absent with leave—Messrs. Ballard, Barnes, Beltrami, Brown of Howard, Brown of Monroe, Claiborne, Dean, Gates, Haas, Hammett, Hardin, Hutt, Kitchen, Knott, Kost, Logan, McAllister, Moore of Stone, Shewalter, Sloan, Stancil, Walker, Williams of Audrain and Williams of Morgan—24.

Sick—Messrs. Gratiot, O'Bannon of Dallas and Steele—3.

On motion, leave of absence was granted to Mr. Gates for one day.

On motion of Mr. Shafer,
The House adjourned until 10 o'clock Monday morning.

MONDAY, FEBRUARY 6, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of Friday was being read, when,
On motion of Mr. Sorrell,
The further reading of the journal was dispensed with.

Mr. Shields offered the following resolution :

Resolved, That the Committee on Constitutional Amendments be increased by adding four additional members ;
Which was read and adopted.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following bills have been introduced into and passed that body :

Senate bill No. 53, entitled

An act to amend an act entitled an act to authorize cities, towns and villages to organize for school purposes with special privileges, to repeal certain acts therein mentioned, and all acts and parts of acts inconsistent with said act, approved March 21, 1870 ;

Senate bill No. 56, entitled

An act entitled an act to amend an act entitled an act to provide for the reorganization and support of public schools, and to revise and amend laws relating thereto, and repeal certain acts and parts of acts ;
In which the concurrence of the House is respectfully requested ;
Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

Senate bill No. 82, entitled

An act to repeal an act to amend chapter forty-nine of the General Statutes of Missouri concerning school lands, approved February 2, 1870 ;

Which was read.

Mr. Smith offered the following resolution :

Resolved, That the Doorkeeper is hereby instructed and required to furnish to each member of this House one hundred three cent postage stamps and three hundred two cent postage stamps, to be paid for out of the contingent fund of this Assembly ;
Which was read and adopted.

Mr. Claiborne offered the following resolution :

Resolved, That the use of this Hall be granted to Miss A. Townsley on Friday evening, February 10th, for the purpose of delivering an address on woman's rights ;

Which was read.

Mr. Buller offered the following amendment :

Amend by adding "upon her giving bond with security for the return of any books which may be taken from the Hall by any of her audience ;

Which was not agreed to.

The question then recurring upon the original resolution,
It was adopted.

Mr. Stone offered the following resolution :

Resolved, That the State Auditor be requested to furnish this House a detail of the following accounts for the years 1869 and 1870, to-wit :

Accounts of contingent expenses.
 Accounts of copying and indexing laws and journals.
 Accounts of distributing laws and journals.
 Accounts of printing laws and journals.
 Accounts of repairing Capitol
 Accounts of new school law 1870.
 Accounts of certificates of indebtedness in conformity to the
 thirty-second section of chapter one hundred and thirty-seven, Wag-
 ner's Statutes;

Which was read and adopted.

Mr. Neal offered the following resolution:

Resolved, That the resolution this day passed relating to postage stamps be so construed as to include the officers of the House.

Pending which, the regular order of the day was called for;

Which was taken up.

Mr. Mitchell, of the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

Senate bill No. 8,

Beg leave to report that they have had the same under consideration, and would recommend that it do pass;

Which was read.

Senate bill No. 8, entitled

An act to amend section one of chapter forty-one of the General Statutes, entitled of the incorporation of towns, elections and power of trustees, &c., &c.,

Was taken up.

Mr. Buller offered the following amendment:

Amend section one by striking out the words, "or part of any incorporation," and insert after the word "addition," the following, to wit: "The plat of which shall be on file and which shall be contiguous to such incorporated town;"

Which was read and not agreed to.

On motion of Mr. Neal,

The rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barnes, Barrett, Bell, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Burton, Butler, Chilton, Cloud, Colcord, Coleman, Crockett, Davis, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Harmon, Howell, Hubbell, Knott, Koch, Lamson, Langston, Latshaw, Leeper, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Mullings, Murray, Myers, Neal, Newman, Norris, Pope, Raney, Samuel, Scoville, Shafer, Shewalter, Shields, Sides, Smith, Sorrell, Stone, Squires, Van Roden, White of Texas, Worden and Mr. Speaker—78.

NOES—Messrs. Buller, George and Schooley—3.

Absent—Messrs. Asher, Bass, Beltrami, Brown of Howard, Clai-

borne, Clark, Collier, Dean, Hammett, Hardin, Leach, Logan, Ming, Mortell, O'Bannon of Pettis, Richardson, Ralston, Sanford, Sharp, Sloan, Thomas, Wielandy and Pauley—23.

Absent with leave—Messrs. Bittinger, Bunch, Burrows, Dent, Dolman, Haas, Hackman, Hickman, Hooper, Hutt, Kitchen, Kost, Marlin, Marshall, Moore of Stone, Murphy, Randall, Ray, Robinson, Stancil, Turner, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, and Williams of Morgan—27.

Sick—Messrs. Abington, Ballard, O'Bannau of Dallas, Steele, Gratiot and Gray—6.

On motion, leave of absence was granted to Mr. Burrows for two days.

On motion, leave of absence was granted Mr. Bittinger for one day.

To Mr. Bunch for two days.

To Mr. Dent for five days.

To Mr. Von Kochtitzky for two days.

To Messrs. Wilkes, Hackman and Murphy for one day.

To Mr. Wight of Vernon, for two days.

To Mr. Hooper for three days.

To Mr. Dolman for two days.

To Messrs. Robinson, Hickman, Marlin and Hardin for one day.

To Mr. Ray for four days.

Mr. Mitchell, of the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred petition of citizens of Lebanon, Laclede county, beg leave to report that they have had the same under consideration, and would recommend that the same be referred to the Committee on Local Bills;

Which was read.

The petition was referred to Committee on Local Bills.

Mr. Barrett, of the Committee on Accounts, submitted the following report:

MR. SPEAKER: The Committee on Accounts, to whom was referred a resolution, beg leave to report that they have duly considered the same, and recommend that the night watchman be allowed the same pay as other employes in the same grade of service, viz.: \$2 50 per day;

Which was read and adopted.

Mr. Dod, of the Committee on Unfinished Business, submitted the following report:

MR. SPEAKER: Your Committee on Revised and Unfinished Business, would respectfully report the following list of Senate bills introduced into and not passed by the Twenty-fifth General Assembly:

No. 5. An act to amend section 53, chapter 135, General Statutes, 1865, concerning district courts.

No. 41. An act to amend section 5 of chapter 106, General Statutes. Introduced by Senator Boardman.

No. 45. An act to amend section 7 of chapter 80, title 25, General Statutes, 1865, in reference to inclosures. Introduced by Senator Reed.

No. 50. An act to amend an act to incorporate the Laclede Gas-light company, approved March 2, 1857. Introduced by Senator Spaunhorst.

No. 63. An act to amend section 26, chapter 146, of the General Statutes of Missouri. Introduced by Senator Carroll.

No. 68. An act to amend section 14 of chapter 49, title 17 of the General Statutes.

No. 73. An act to amend an act entitled an act authorizing the holding of criminal courts in the City of Kansas, approved March 23, 1863. Introduced by Senator Williams.

No. 74. An act to amend section 27 of chapter 85 of the General Statutes of 1865, in relation to coroner's inquest. Substitute.

No. 82. An act to amend section 1 of chapter 21 of the General Statutes of Missouri. Substitute.

No. 85. An act to amend section 9 of chapter 129 of descents and distributions, of General Statutes of Missouri. Substitute.

No. 92. An act to amend section 1, chapter 46 of General Statutes. Substitute.

No. 101. An act to amend an act entitled an act amendatory of chapter 34, title 11, General Statutes of Missouri. Introduced by Senator Morrison.

No. 123. An act to amend section 52 of General Statutes of Missouri, in relation to county superintendents of public schools. Substitute.

No. 129. An act in relation to the portraits of Generals Washington, Jackson and Lyon in the Senate chamber. Substitute.

No. 132. An act to legalize certain records or deeds, mortgages or other instruments taken from the custody of the proper officers during the rebellion. Introduced by Senator Morrison.

No. 146. An act to amend an act to authorize boards of education in cities, towns and villages to extend the limits of the territory attached for school purposes. Introduced by Senator Carroll.

No. 148. An act to amend an act entitled an act to amend the 7th section of chapter 179, General Statutes of the claim and delivery of personal property, approved March 6, 1868. Introduced by Senator Moore.

No. 151. An act to amend section 14 of chapter 160, General Statutes, relating to executions. Introduced by Senator Essex.

No. 153. An act to amend an act entitled an act to provide for the opening and repairing of public roads, and to repeal chapter 25, General Statutes, 1865, approved March 23, 1868.

No. 157. An act to establish the Missouri State Reform School. Introduced by Senator Shelton.

No. 170. An act to amend section 5 of chapter 8 of General Statutes, in relation to the compensation of members, officers and employes of the General Assembly. Substitute.

No. 185. An act to amend section 15, chapter 32, General Statutes of 1865, in relation to fees. Introduced by Senator Headlee.

No. 189. An act to amend chapter 16, General Statutes, in relation to curators, guardians and wards. Substitute.

No. 192. An act to amend section 4, chapter 57, General Statutes.

entitled of the Asylums for the education of the Deaf and Dumb. Substitute.

No. 199. An act to provide for the payment of outstanding and unpaid certificates of the Southwest Expedition.

No. 212. An act to amend section 7, of chapter 7, of General Statutes of Missouri of 1865. Introduced by Senator Ridgley.

No. 219. An act to provide for the sale of the surplus clothing, camp and garrison equipage and quartermasters' stores belonging to the State, and to pay the net proceeds thereof into the State Treasury.

No. 229. An act requiring clerks, sheriffs and marshals to pay witnesses and jurors' fees into the county treasury. Substitute.

No. 230. An act to define general and petit juries in St. Louis county. Introduced by Senator Gottschalk.

No. 236. An act to amend chapter 6, General Statutes, entitled of the appropriation and valuation of lands taken for telegraph, &c. purposes. Substitute.

No. 239. An act to amend section 17, chapter 42, General Statutes.

No. 241. An act to amend section 16, chapter 41, General Statutes.

No. 242. An act to provide for the improvement of the Gasconade river. Introduced by Senator Waters.

No. 243. An act to amend sections 5 and 11, chapter 186, General Statutes, concerning breaches of the peace. Introduced by Senator Brown.

No. 244. An act fixing the number of clerks in the State department. Introduced by Senator Williams.

No. 245. An act to amend sections 3 and 19, chapter 24, General Statutes, in relation to clerks of courts. Substitute.

No. 250. An act for the relief of the securities of Jos. E. Barrot, of Oregon county. Introduced by Senator Essex.

No. 254. An act to abolish the office of circuit attorney. Substitute.

No. 255. An act to amend section 18, chapter 101, General Statutes, on mills and mill-dams. Introduced by Senator Human.

No. 269. An act to amend section 1, chapter 41, General Statutes, incorporations of towns, etc. Introduced by Senator Roseberry.

No. 273. An act to amend section 25, chapter 133, General Statutes, of courts of record.

No. 280. An act to amend section 30, chapter, 26 of Revised Statutes of 1865.

No. 289. An act to amend section 5, chapter 68, General Statutes, of Savings Bank. Introduced by Senator Spaunhorst.

No. 293. An act to amend section 12, chapter 26, General Statutes, in regard to printed record. Introduced by Senator McMillan.

No. 297. An act to amend an act entitled an act to regulating banks and banking. Introduced by Senator Blodgett.

No. 299. An act to amend section 38, chapter 63, General Statutes, entitled railroad companies. Introduced by Senator Graham.

No. 309. An act to provide for the retiring of Missouri State bonds in the hands of National Bank of Commerce of New York. Substitute.

No. 313. An act to amend section 18, chapter 10, Statutes of 1865, relating to the duties of State Auditor. Introduced by Senator Shelton.

No. 317. An act to prevent the cutting, etc., of timber on lands granted for the Agricultural College.

No. 333. An act to amend title 33, General Statutes, entitled courts of record and judicial proceedings.

No. 337. An act to amend section 19, chapter 86, General Statutes, in relation to bills of exchange. Introduced by Senator Spaunhorst.

No. 341. An act to amend section 2, chapter 14, General Statutes, in relation to State interest fund. Introduced by Senator Spaunhorst.

No. 347. An act providing for the places of holding courts in the city of St. Louis. Introduced by Senator Ridgley.

No. 349. An act to refund taxes paid by the German St. Vincent Orphan Association. Introduced by Senator Spaunhorst.

No. 353. An act to amend chapter 56, General Statutes. Introduced by Senator Williams.

No. 364. An act to amend section 1 of an act entitled an act to amend sections 24 and 57, chapter 13, General Statutes, relating to collection of revenue.

No. 368. An act to invest balance in the State Interest fund in State bonds. Substitute.

No. 370. An act to amend an act concerning the indexing of deeds, etc., in the county of Lafayette and others, approved March 23, 1868. Introduced by Senator Harbine.

No. 372. An act amendatory to an act concerning the revenue of the St. Louis Public Schools, approved March 2, 1859 and December 19, 1865. Introduced by Senator Cavender.

No. 387. An act in relation to the county of St. Louis and certain officers thereof. Introduced by Senator Spaunhorst.

No. 401. An act prohibiting the extension of the franchise of the St. Louis Gas Company. Introduced by Senator Spaunhorst.

No. 407. An act to amend an act incorporating the city of Boonville, approved February 8, 1839, March 4, 1870.

No. 413. An act in relation to the probate court of St. Louis county.

No. 415. An act in relation to the collection of revenue of St. Louis county.

No. 419. An act in relation to the collector of dram shops in St. Louis county.

No. 421. An act to amend chapter sixty-four, General Statutes. Introduced by Senator Rollins.

No. 424. An act to amend an act entitled an act to dispose of the Southwest Pacific railroad. Introduced by Senator Human.

No. 431. An act for the relief of Sarah V. Childress. Introduced by Senator Filler,

No. 435. An act to establish a court of common pleas in Dade county. Introduced by Senator Blodgett.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee to whom was referred House bill No. 67, entitled

An act to repeal an act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county;

Beg leave to report that they have had the same under consideration, and return it back with the recommendation that it do pass;

Which was read.

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the counties of Jasper and Barton;
 Was taken up, and, on motion,
 Recommended to Committee on Local Bills.

Mr. Brown of Monroe, of the Committee on Local Bills submitted the following report:

MR. SPEAKER: Your Committee to whom was referred
 House bill No. 70, entitled

An act to amend section one (1) of an act entitled "an act to amend an act incorporating the city of Oregon, approved March 24th, 1870."

Beg leave to report that they have had the same under consideration, and return it with the recommendation that it do pass;

Which was read.

House bill No. 70, entitled

An act to amend section one of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24th, 1870;

Was taken up, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barnes, Barrett, Bell, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Buller, Butler, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Harmon, Howell, Hubbell, Knott, Koch, Lamson, Langston, Latshaw, Leeper, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Murray, Neal, Newman, Norris, Pope, Raney, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Smith, Sorrell, Stone, Squires, Turner, Van Roden, White of Texas, Worden and Mr. Speaker—84.

NOES—None.

Absent—Messrs. Asher, Claiborne, Ming, Moore of Stone, Mortell, Mullings, Myers, Richardson, Sharp, Sloan and Wielandy—11.

Absent with leave—Messrs. Ballard, Bass, Beltrami, Bittinger, Brown of Howard, Bunch, Burrows, Burton, Dean, Dent, Dolman, Haas, Hackman, Hammett, Hardin, Hickman, Hooper, Hutt, Kitchen, Kost, Leach, Logan, Marlin, Marshall, Murphy, O'Bannon of Pettis, Randall, Ray, Robinson, Stancil, Thomas, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—37.

Sick—Messrs. Abington, Gratiot, Gray, O'Bannon of Dallas and Steele—5.

Mr. Pope of the Committee on Benevolent and Scientific Institutions submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions have had under consideration

House bill No. 73,

And the chairman is directed by five of the seven members of the committee to report back to the House the original bill, with the

accompanying substitute therefor, and recommend that the accompanying substitute be passed;

Which was read.

House bill No. 73, entitled

An act to elevate the standard of the medical profession, and to protect the people from the dangers of empiricism or quackery in Missouri;

Was taken up.

The following amendment by way of substitute as recommended by the committee:

Strike out all after the enacting clause and insert as follows:

SECTION 1. A board of medical and surgical examiners is hereby established for each congressional district in this State.

SEC. 2. Each of said boards shall consist of three persons, who shall be regularly educated physicians, graduates of some respectable medical college, and men of known professional ability; and one of these two shall be well acquainted with, and educated in the Homœopathic practice of medicine.

SEC. 3. These boards shall be appointed by the Governor and confirmed by the Senate of this State, and shall hold their offices respectively, one, two and three years, in the order in which they are appointed, commencing on the first day of June, 1871.

SEC. 4. It shall be the duty of said boards, and they shall have the power to examine all persons who propose to practice medicine or surgery in the several congressional districts of this State, and to issue to such persons as are found qualified as hereinafter provided, a certificate of qualification and license to practice medicine or surgery, or both, within this State.

SEC. 5. Said boards shall hold semi-annual meetings at some point in said districts as nearly central as may be for the purpose of examining all persons who may desire to be examined, with a view to practice medicine or surgery within this State; and they shall give notice of such meetings by publication in some newspaper published in each county within the several districts, for at least four weeks previous to said meetings, and if there be no such paper, then by posting up written or printed notices in at least two public places within each county for the same time.

SEC. 6. Said boards shall have power to charge and collect from each applicant for examination ten dollars, as a fee, which said fees shall be compensation in full for all the services of said boards; said fees shall be divided equally between the said examiners, who shall attend the meetings before provided for.

SEC. 7. Two of said examiners shall constitute a quorum to decide as to the qualifications of any applicant, and to issue to him a certificate of qualification; provided one of them shall be qualified in accordance with section two of this act, in the department in which the applicant shall desire to practice.

SEC. 8. It shall be unlawful for any person within this State, who shall not have attended two courses of medical lectures, and graduated at some respectable school of medicine, either in the United States or in some foreign country; or who cannot produce a certificate of qualification from one of the boards of examiners named in this act, to practice medicine or surgery, for reward or compensation, or to attempt to practice the same, or to prescribe medicine for any sick person within this State, for reward or compensation; *provided*, in all cases, that when any person shall have been in the continuous practice of medicine or surgery for ten years, he shall be

regarded as having complied with the requirements of this act; *and, provided further*, that when any person shall have been in the continuous practice of any of the said departments for five years, he shall be allowed two years from the passage of this act, in which to comply with the requirements of the same; *and, provided further*, that said boards may, upon thorough examination of any applicant, if they find him fully qualified in knowledge, skill and experience to practice medicine or surgery in any given district of this State, they may give him a certificate, stating his qualifications; and, if deemed advisable, stating the limits of the districts within which he may practice.

SEC. 9. Any person who shall practice, or attempt to practice medicine or surgery within this State in violation of the provisions and requirements of this act, shall, upon conviction thereof before any competent court having jurisdiction in criminal cases or of misdemeanors, be fined in a sum not less than fifty nor more than one hundred dollars, for such offense; and, upon conviction of a second violation of this act, shall in addition to the same amount of fines before named be imprisoned in the county jail of the county in which said offense was committed for a term not less than thirty, nor more than ninety days.

SEC. 10. The Governor shall have power to remove any member of any of said boards for a failure to act regularly in the discharge of his duties or for incompetency, or for any other reason or information which in the mind of the Governor may justify such removal.

SEC. 11. This act shall be in force on and after the first day of June, 1871.

Was read, and, on motion, laid over informally.

Mr. Davis, of the Committee on Benevolent and Scientific Institutions, submitted the following minority report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred

House bill No. 73, entitled

An act to elevate the standard of the medical profession in Missouri, and to protect the citizens from empiricism or quackery,

Beg leave to submit in writing the following views:

1st. We do not believe that the standard of any profession can be elevated by legislation as declared in the title of this act, but that any, and more especially the medical profession, should rise and stand upon its own merits—that the physician needs no more protection than the mechanic, and that such legislation would discriminate unfairly and unjustly in favor of a few of the elect, who oftener through money or personal favoritism than merit, would pass a satisfactory examination before the Board of Examination constituted by this act.

2d. We doubt the propriety of subjecting the practice of medicine within our State to appointees of a governor who is not a professor of the science of medicine—who is not expected to possess a knowledge of therapeutics or surgery sufficient to enable him of his own own knowledge to form a correct judgment as to the qualifications of applicants for the position of Medical Examiner in the several districts of the State, and who is liable to be made the dupe of the impudence of the professional quacks.

3d. Admitting this law to have worked well in other and older States, we yet believe the time has not come for the passage of such a law in Missouri, a large portion of which is thinly and sparsely settled—not sufficiently advanced in a social point of view as to induce

physicians of large acquirements to take their families from the enjoyments of the advantages of older and wealthier districts to a home where so many privations must be suffered.

4th. Many counties in the State having an area of five to eight hundred square miles have not more than one, two, or perhaps three physicians who could pass an examination before the Board of Examiners contemplated in this act, thus rendering it utterly impossible for medical aid to be had in many localities when it was most needed.

5th. We object to section eight of this act which gives the Board of Examiners power to grant certificates to persons with permission to practice medicine within certain prescribed limits and no further; thus saying that life is not so valuable in one locality as another. We hold that a physician who is qualified to practice medicine in one portion of the State is amply qualified to practice in other and all parts of the State or United States; we do not compute the value of life by dollars and cents, hence we argue that life is worth as much to its possessor at one place as at another.

6th. We would not take from the people of free Missouri the right to use their own discretion as to who they may call in or ask for help in case of sickness or suffering in their families and in their houses; neither would we protect the dishonest debtor in refusing to pay for services rendered in any capacity. If the patient or patron is satisfied with the practitioner, the legislature of the great State of Missouri should not interfere.

7th. We object to the passage of this law again on the ground that it throws no safeguards around the rights of those most interested, by requiring bonds from these examiners, conditioned for the faithful performance of duties, neither does it require of this august body anything in the shape of an oath or affirmation that they will fearlessly, faithfully, and impartially follow and carry out the letter and spirit of the law, but it simply provides for the appointment by the Governor, with concurrence of Senate (if in session) of three men, who are supposed to possess a certain amount of knowledge on one particular subject, and this supposition, perhaps, based upon rumor, not amendable to the law, the only penalty being removal from office, to sit in judgment upon the rights of the people of an entire district.

8th. Again this law exempts persons who have had ten years continuous practice from the provisions of this act, notwithstanding it may have taken this same person the full ten years to become the consummate quack.

9th. Lastly it makes no provision for examining witnesses under oath, as to facts concerning any person sought to be protected by the action of this law.

Therefore, we the undersigned, members of said committee, hereby recommend that said act do not pass.

D. E. DAVIS,
J. B. BARNES,
GEO. F. FASSEN.

Which was read, and, on motion,
Laid over informally.

Mr. Pope, of the Committee on Benevolent and Scientific Institutions, reported the following amendment by way of substitute, as recommended by the committee for
House bill, No. 80, entitled

An act to establish a State Industrial School ;

Strike out all after the enacting clause and insert as follows :

SECTION 1. The State Industrial School is hereby established for the reformation and instruction of young offenders and criminals of both sexes.

SEC. 2. The institution shall be called "*The Missouri Industrial School.*"

SEC. 3. It shall be organized and conducted by a board of managers, which shall consist of three members, who shall be appointed by the Governor.

SEC. 4. The first board of managers shall be appointed by the first day of May, 1871, their terms of office shall be regarded as having commenced on the first day of January, 1871, and shall continue two, four and six years from that date, and they shall determine among themselves, by lot, their respective terms of office, and every two years from January 1st, 1871, a manager shall be appointed for a term of six years, and until his successor shall have been appointed and qualified. The Governor shall have power to fill all vacancies that may occur in the board at any time by appointment for the remainder of the respective term; and on information or cause known to himself, may suspend a member, and having given such suspended member notice and hearing, may for good cause shown remove any such member of the board.

SEC. 5. The board shall have power, first, to make and enforce all such rules, regulations and by-laws for their own government, and for the management of the property and conduct of the schools, its officers, employes and inmates, as they shall deem proper and necessary; second, to appoint all officers and employes of the school, and to fix their respective salaries; third, to issue writs for the reception of fugitives from the school; fourth, to apprentice and bind out any inmate of the school during minority, or for a less period; fifth, to receive plans and bids for the erection of all buildings and improvements which they, together with the advice and consent of the Governor of the State and the mayor of the city of St. Louis, may deem proper and necessary to erect and make for the accommodation and convenience of the inmates, officers and employes of the school, and to create and locate separate male and female departments of the same school, and to choose and receive deeds of title to sites and grounds for any such purposes of the school, and, with the advice and consent of the Governor, to purchase the same; 6th, to receive as teachers for said school all gifts, donations or bequests from any and all parties for the benefit of the school, and to invest the same in the securities of the United States, to receive and only apply the interest to the purposes of defraying the ordinary expenses of the school, as increasing the facilities of accommodating inmates.

SEC. 7. The writs for the reception of any fugitives from the school may be executed by all officers or employes of the board of managers, and it shall be the duty of any sheriff, marshal, constable or police officer within the State to execute said writs, and the fees for services shall be such as are allowed to sheriffs for the service of criminal process, and the transportation of criminals necessary expenses shall be paid to officers and employes for services of such writs, but no fees shall be paid them.

SEC. 8. The first meeting of the board of managers may be holden at any place provided by itself until after buildings of the school shall have been erected, when said meeting shall be holden in the said building, and not less frequently than one in each month.

SEC. 9. The board shall appoint one of its members treasurer and one secretary, and the senior member of the board shall act as president.

SEC. 10. The treasurer shall give bond to the State for the faithful performance of his duties in honestly receiving and disbursing the funds of the school. The bond shall be for fifty thousand dollars with two or more good and sufficient securities, and the bond shall be approved by the Governor, and shall be filed in the office of the Secretary of State. An action on said bond may be maintained by the State or by any person affected by a breach of any of the conditions thereof.

SEC. 11. No moneys shall be drawn from the State treasury or from any other source for the use of the school, except on a organization of the board of managers in favor of its treasurer.

SEC. 12. The board shall report annually to the General Assembly a full and correct statement of the finances and affairs of the school for the previous fiscal year; also of its management and condition, with an estimate of the amount expended for the ensuing year, and the amount of appropriation necessary to meet the same, and shall also make such suggestions touching the school as shall be deemed of practicability.

SEC. 13. The office of superintendent of the school is hereby created. The superintendent shall be appointed by the board and approved by the Governor. He shall have the immediate charge of the school and its inmates, employes and property, and shall be subject to the control of the board under the by-laws, rules and regulations of the same, and for good cause may, on notice, be removed by the board with the approval of the Governor.

SEC. 14. The board of managers shall, as soon as practicable, select suitable sites and grounds for male and female departments of this school, which grounds and sites shall be readily accessible from the various parts of the State; *provided*, that they shall not be within thirty miles of the city of St. Louis proper, and not more than five miles from each other. Said grounds shall comprise and aggregate front less than six hundred and forty acres; they shall be in healthful location and be well watered.

SEC. 15. The board shall carefully consider any and all offers of lands, personal property or money which may be made as inducement for the location of the school, and having due regard for and giving preference to propriety of location the board shall choose that place from which the last offers come, but the decision of the board, when approved by the Governor and mayor of St. Louis, shall be final; *provided*, that the Legislature may at any session, on information of fraud or mal-administration of any parties connected with the school and its management, order an investigation of the same, and take such action on the report as may seem to it just and proper.

SEC. 16. All donations, gifts, bequests and contributions of lands, personal property, leaseholds or money shall vest in the board of managers as a corporation in trust for those of said school, and shall be held by said board strictly subject to the conditions annexed to said donations as before named.

SEC. 17. When suitable grounds, as before described, shall have been procured for the location of the school, the board shall advertise in at least two papers in St. Louis, one in Kansas City and one in St. Joseph, for plans and bids for erecting buildings according to plans adopted. They shall adopt the best plan and let the contract for erecting and completing the buildings to the lowest and best bid-

der or bidders for the several departments of the buildings, should the board deem it expedient to let the contracts for different parts of the work separately.

SEC. 18. The board shall require of all contractors for work on said buildings a good and sufficient bond for the completion of any work contracted to be done by them in accordance to the terms of said contracts respectively. The said bond shall be approved by all the members of the board before work shall be commenced by any contractor.

SEC. 19. The sum of fifty thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of erecting said building for the use of said school and paying for sites purchased therefor.

SEC. 20. Any minor under the age of sixteen years who shall have been convicted in any court sitting within this State, or before any mayor of any incorporated town or city, acting in his authorized capacity as a judge in such cases of any offense, the punishment of which is or may be imprisonment, may, instead of such punishment, and at the discretion of the presiding judge of said court, or mayor of said incorporated town or city, be sentenced, if of sound mind and body, to confinement in the industrial school during minority. Every such sentence and every warrant for commitment shall designate the age of the person sentenced or committed at the date of such sentence or commitment.

SEC. 21. Upon the complaint, verified by affidavit, by any parent, guardian, or other person, that any child under the age of sixteen years who is under his or her control or charge, is so vicious, incorrigible or wicked as to be a fit subject for commitment to said school, any court having criminal jurisdiction, or any mayor of any incorporated town or city within this State, shall issue a warrant for the arrest of such child, and shall proceed summarily and according to law to hear and determine the truth of the complaint; and if the same be found in substance true, and that the child is a fit subject for commitment to said school, and is of sound mind and body, then said court or mayor shall sentence such child to confinement in said school, and he shall be conveyed to said school and delivered to the superintendent by the proper officer of said court or mayor, in accordance with the laws for transmission of prisoners.

SEC. 22. The board may, from time to time, recommend to the Governor for release such of the inmates of said school as may by the board be considered worthy of release; but no inmate committed to said school as before provided shall be released, except on written recommendation of the board to the Governor, with the reason for the same.

SEC. 23. The compensation of the managers shall be five dollars per day, for each day necessarily employed, and their necessary actual expenses. In addition to the above per diem and expenses, the treasurer of the board shall be allowed five hundred dollars per annum.

SEC. 24. If any inmate of said school, committed in accordance with the provision of this act, shall be found unruly and incorrigible and after all proper efforts have been used for his reformation, it shall be lawful for the superintendent, by the order of the board to endorse upon the warrant of commitment a certificate of such bad conduct, and cause such inmate to be returned to the custody of the keeper of the jail of the county or city whence said inmate came, there to be imprisoned, and the proceedings against him shall be resumed as of

no account or order of commitment and the said school had been issued in this case.

SEC. 25. The sum of ten thousand dollars is hereby appropriated out of the funds in the treasury not otherwise appropriated, for the purpose of maintaining the school until it shall hereafter receive the support provided for in the following section.

SEC. 26. The cost of supporting and educating the inmates of the school shall be charged to the counties, respectively, from which said inmates came, and shall be paid pro rata by said counties, on the requisition of the board of managers to the order of its treasurer. The amount due from each county shall be certified quarterly to the county court of the several counties for payment.

SEC. 27. This act shall be a public act, and take effect from the date of its approval.

Which was read and on motion,

Recommitted to the Committee on Benevolent and Scientific Institutions.

Mr. Neal of the special committee to whom was referred Governor McClurg's message, and inaugural address of Governor Brown, submitted the following report:

MR. SPEAKER: Your special committee to whom was referred the message and accompanying papers of the Hon. J. W. McClurg and the inaugural address of the Hon. B. Gratz Brown, for distribution to appropriate committees, would respectfully report and recommend that so much of the Hon. J. W. McClurg's message as relates to the State credit, State indebtedness, reduction of the State indebtedness, available means of the State, estimated resources for 1872, 1873 and 1874, Adjutant General's Office, Treasurer's bond and tax on railroads, be referred to the Committee on Ways and Means.

So much as relates to railroads and inducements to capitalists, be referred to Committee on Internal Improvements.

So much as relates to a Constitutional Convention, protection and free trade, and bureau of statistics and Constitutional amendments, be referred to Committee on Constitutional Amendments.

That part of the message as refers to public and normal schools, be referred to Committee on Education.

So much thereof as relates to moral questions and intemperance, be referred to Committee on Criminal Jurisprudence.

So much thereof as relates to Agricultural College, be referred to Committee on Education.

So much thereof as alludes to the Lunatic and Deaf and Dumb Asylums and accompanying documents, be referred to the Committee on Deaf and Dumb and Lunatic Asylums.

So much thereof as relates to Blind Asylum and accompanying documents, be referred to Committee on Blind Asylum.

That part of the message and accompanying papers and reports and so much as relates to pardons, be referred to Committee on Penitentiary.

So much thereof as relates to an Executive Mansion, be referred to Committee on Seat of Government and Public Buildings.

So much thereof as relates to Immigration, be referred to Committee on Immigration.

That part thereof relating to the school of mines and mining bureau be referred to Committee on Mines and Mining.

That part thereof relating to re-districting the State be referred to a joint committee to be raised for the purpose.

That so much thereof relating to finance be referred to the Committee on Ways and Means.

That part thereof relating to adjourned session be referred to Committee on Retrenchment and Reform.

That part thereof relating to desirable legislation be referred to Committee on Constitution.

That part thereof relating to protection and free trade be referred to Committee on Federal Relations.

That part thereof relating to the Adjutant General be referred to the Committee on Militia.

That part thereof relating to ——— treasurer's bond be referred to the Committee on Ways and Means.

That part thereof relating to tax on railroads be referred to the Committee on Ways and Means.

That part thereof relating to State Geologist be referred to the Committee on Mines and Mining.

That part thereof relating to the report of the Adjutant General be referred to the Committee on Militia.

That part thereof relating to resolutions of Immigration Committee be referred to Committee on Immigration.

That part thereof relating to bureau of mines be referred to the Committee on Bureau of Mines.

That part thereof relating to Fund Commissioners be referred to the Committee on Ways and Means.

That so much of Governor B. Gratz Brown's inaugural address as refers to general amnesty be referred to the Committee on Federal Relations.

That so much thereof as refers to revenue and civil service reform be referred to said committee.

That so much as relates to the question of calling a constitutional convention be referred to the Committee on the Constitution.

That so much as relates to railroads be referred to the Committee on Internal Improvements.

That so much as relates to Registration be referred to Committee on Judiciary.

That so much as relates to the abolition of the grand jury system be referred to the Committee on Criminal Jurisprudence.

That so much as refers to the registration of State bonds be referred to the Committee on Ways and Means.

Which was read, and on motion,

Laid on the table and 150 copies ordered printed.

Mr. Stone, of the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your special committee, composed of the St. Louis Delegation, to whom was referred

House bill No. 91, entitled

An act for the relief of Francis H. Dinkelman,

Would respectfully report that they have considered the same and recommend that the same do pass;

Which was read.

House bill No. 91,

An act for the relief of Francis H. Dinkelman,

Was taken up, and, on motion,

Recommitted to the St. Louis Delegation.

On motion of Mr. Auer,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The Speaker laid before the House the following communication from the National Board of Trade:

To the House of Representatives, State of Missouri, Jefferson City, Mo.:

SIRS: I have the honor to transmit for your information, and to commend to your favorable consideration, the following resolutions adopted at the third annual meeting of this board recently held in the city of Buffalo; they relate to a question in which the members of the Board, engaged in the purchase, transportation and sale of grain, feel the deepest interest, and I trust we shall have your co-operation in making them effective:

WHEREAS, The prevailing practice of railroads issuing bills of lading for grain, "at owners' risk of short weight and measure at point of delivery," thereby subjecting the owners and shippers of grain to large losses, and bankers and others to insecurity in that class of collaterals, demands reform by State Legislative enactments, requiring railroads within the limits of the respective States to weigh all grain taken as freight, receipt for the same, and be accountable at point of delivery for the amount specified in their bills of lading;

Resolved, That the several railroads carrying grain be requested to give to all shippers of grain a bill of lading that will be good for the quantity called for at the place of delivery, the same as they do for flour and all other property.

Resolved, That the Secretary of this Board be instructed to bring this matter before the Legislatures of the different States, asking them to enact such laws as will compel the railroads in their respective States to weigh and receipt for all grain taken by them for transportation, and deliver the same at point of destination, or pay for the deficiency.

Resolved, That the Secretary be further instructed to send a copy of the foregoing preamble and resolutions to the Presidents of the different railroads, and to ask their prompt attention to them.

I am, your obedient servant,

HAMILTON A. HILL,

Secretary and Treasurer.

Which was read, and on motion,
Referred to the Committee on Banks and Corporations.

On motion of Mr. Bosbyshell,

A call of the House was demanded, and the following gentlemen answered to their names:

AYES—Messrs. Abington, Adams of Butler, Alsup, Auer, Barrett, Bell, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Bulkley, Buller, Burton, Chilton, Clark, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Hackman, Harmon, Howell, Knott, Lamson, Langston, Latshaw, Leach, Leeper, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Murray, Myers, Neal, Newman, Norris, Pope, Raney, Schooley, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stone, Turner, Van Roden, Walker, White of Texas, Worden and Mr. Speaker—71.

Absent—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Ballard, Barnes, Borg, Butler, Cloud, Eubanks, Fassen, Koch, Logan, McAllister, Ming, Moore of Stone, Mortell, Mullings, Rolston, Samuel, Sanford, Scoville, Shafer and Squires—24.

Absent with leave—Messrs. Bass, Beltrami, Bittinger, Brown of Howard, Buckham, Bunch, Burrows, Dean, Dent, Dolman, Haas, Hardin, Hickman, Hooper, Hubbell, Hutt, Kitchen, Kost, Marlin, Marshall, Murphy, O'Bannon of Pettis, Pauley, Randall, Ray, Robinson, Sharp, Stancil, Steele, Thomas, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—36.

Sick—Messrs. Claiborne, Gratiot, Gray, Hammett, O'Bannan of Dallas and Richardson—6.

On motion, leave of absence was granted to Messrs. Sharp, Randall, Ballard and Kitchen for one day.

House bill No. 38, entitled

An act to amend section seven of title six, chapter fourteen, of the General Statutes in relation to the State interest and State sinking fund,

Was taken up, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barrett, Bell, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dolle, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Hackman, Harmon, Hickman, Hooper, Howell, Knott, Lamson, Langston, Latshaw, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Mullings, Murray, Neal, Newman, Norris, Pope, Raney, Samuel, Schooley, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stone, Squires, Turner, Van Roden, Walker, Wielandy, White of Texas, Worden and Mr. Speaker—84.

NOES—Mr. Dod—1.

Absent—Messrs. Asher, Butler, Eubanks, Koch, Logan, Ming, Mortell, Myers, Sanford, Scoville and Shafer—11.

Absent with leave—Messrs. Ballard, Barnes, Bass, Beltrami, Bittinger, Brown of Howard, Bunch, Burrows, Dean, Dent, Dolman, Gray, Haas, Hammett, Hardin, Hubbell, Hutt, Kitchen, Kost, Marlin, Moore of Stone, Murphy, O'Bannon of Pettis, Pauley, Randall, Ray, Robinson, Rolston, Sharp, Stancil, Steele, Thomas, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—37.

Sick—Messrs. Claiborne, Gratiot, O'Bannon of Dallas and Richardson—4.

House bill No. 58, entitled

An act to amend section thirty of chapter thirty-eight of the General Statutes, in relation to the publication of certain school and other moneys, and of the receipts and expenditures,

Was taken up, the rules suspended, read the second time, the rules further suspended, read the third time.

Mr. Neal offered the following amendment:

Amend by adding after the word "aforesaid," in the 7th line of section 30, the words, "and the amount of interest in arrears on the loan of any school or other funds or moneys in the preceding sections named, and the amount due by every borrower thereof respectively;"

Which was read and agreed to.

Mr. Buller offered the following amendment:

Amend the bill by adding: "provided that both the principal and interest on any such bonds is not more than — years in arrears;"

Which was read.

Mr. Frost offered the following amendment to the amendment:

Amend amendment, "and which is wholly insolvent;"

Which was read.

On motion of Mr. Mullings,

The bill was recommitted to the Committee on Retrenchment and Reform.

Mr. Frost, of the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER: The Committee on Mines and Mining have had under consideration the recommendations of the Governor in relation to the Mining, Metallurgical and Geological Bureau, and a Geological Survey of the State, and have instructed me to report the accompanying bill, and recommend its passage;

Which was read.

The following bill, as reported by the committee, entitled

An act to amend an act entitled an act to establish a Mining, Metallurgical and Geological Bureau for the State of Missouri, and to provide for its support and management, and to authorize a Geological Survey, approved March 24, 1870,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Made special order on Wednesday, February 15th, and 150 copies ordered printed.

House bill No. 59, entitled

An act to amend an act entitled an act to amend section nine, chapter eighty-three of the General Statutes of the State of Missouri, 1865, concerning strays,

Was taken up, and,

On motion of Mr. Gates,

Referred to the Committee on Agriculture.

House bill No. 73, entitled

An act to elevate the standard of the medical profession in Missouri, and to protect the citizens from empiricism,

Was taken up.

Mr. Samuel gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections forty-nine, sixty-nine, seventy-six and ninety-four, of chapter thirty-four, General Statutes of 1865, relative to county boundaries.

Mr. Samuel gave notice that he would on to-morrow or some subsequent day introduce

A bill to establish Meadow county.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that they have examined and found correctly enrolled

House concurrent resolution No. 9, entitled

Concurrent resolution to investigate the location of the Normal Schools;

Which was read.

On motion of Mr. Goodson,

The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY, 7, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Edwards,
The further reading of the Journal was dispensed with.

The Speaker laid before the House the following communication from the Chief Clerk, Mr. Sutton:

MR. SPEAKER: I desire to notify the House, that I have this day removed from the position of page, Thomas Roche, for good and sufficient cause; and deeming the present force amply large, I shall make no appointment to fill the vacancy, unless ordered so to do by the House.

Respectfully,

D. A. SUTTON,
Chief Clerk.

Which was read.

Mr. Goodson offered the following resolution:

Resolved, That the chairman of the Committee on Local Bills, Township Organization and Blind Asylum, be authorized to appoint a clerk, to be paid for the time actually employed as such clerk;

Which was read and adopted.

Mr. Barrett offered the following resolution:

Resolved, That the Committee on Accounts be authorized and instructed to audit the account of L. Beeman, deceased, late a member of this House, and issue a certificate in due form therefor, allowing mileage and per diem to January 31, 1871, the same to be subject to the order of the legal representatives of said L. Beeman, deceased.

Resolved, That the Committee on Accounts be further authorized and instructed to audit all just and reasonable accounts that may be presented for the funeral expenses of said L. Beeman, deceased, and issue certificates therefor, to be paid out of the contingent fund of this House;

Which was read and adopted.

Mr. Moore, of Livingston offered the following resolution:

WHEREAS, The Constitution of the State provides that "no judicial circuit shall be altered or changed at any session of the General Assembly next preceding the general election for judges thereof," thereby preventing the 27th General Assembly from making any changes in the formation of the judicial circuits as the people may desire for their convenience and better accommodation for business; therefore, be it

Resolved, That a select committee of nine, consisting of one member from each Congressional District, be appointed by the Speaker, to whom shall be referred all bills creating new judicial circuits, or pertaining to changes in those at present established, with instructions to report to this House, such changes as may be deemed necessary;

Which was read, and, on motion,
Laid on the table.

Mr. Gray offered the following resolution:

Resolved, That the Engrossing Clerk be allowed one assistant for the present;

Which was read.

Mr. Knott moved that the matter be referred to the Committee on Engrossed Bills, with instructions to report the resolution back to the House whenever an assistant clerk is actually necessary ;

Which was agreed to.

Mr. Latshaw offered the following resolution :

Resolved, That the chairman of the Committee on Banks and Corporations be requested to return to this House, "House bill No. 42," an act to amend chapter sixty-three of the General Statutes, entitled "of railroad companies," by adding certain sections thereto, and that the same be referred to Committee on Internal Improvements, to which, under the rules of this House, it should be properly referred ;

Which was read.

On motion, leave of absence was granted to Mr. Hubbell for five days.

To Messrs. Dolman, Martin and Ray, for three days.

To Messrs. Dean, Walker and Haas, for one day.

Mr. Bass moved to lay the resolution offered by Mr. Latshaw on the table.

The ayes and nays having been demanded, was agreed to by the following vote :

AYES—Messrs. Abington, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Borg, Breazeale, Buckham, Bulkley, Buller, Burton, Butler, Chilton, Claiborne, Cloud, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Edens, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Hackman, Hickman, Hooper, Howell, Koch, Lamson, Langston, Leach, Leeper, Logan, Martin of Caldwell, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Smith, Sorrell, Steele, Squires, Thomas, Turner, Van Roden, Von Kochitzky, Wilkes and Worden—87.

NOES—Messrs. Abbee, Adams of Butler, Bell, Bittinger, Bohn, Bosbyshell, Brown of Monroe, Colcord, Edwards, Harmon, Knott, Latshaw, Martin of St. Louis, Myers, Sloan, Stone, Wielandy, and Mr. Speaker—18.

Absent—Messrs. Asher, Bradshaw, Bunch, Burrows, Clark, Frost, Kitchen, Marshall, Murray, O'Bannan of Dallas, Randall, Sharp, Stancil, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan—17.

Absent with leave—Messrs. Brown of Howard, Dean, Dent, Dolman, Gratiot, Haas, Hammett, Hardin, Hubbell, Hutt, Kost, Marlin, Moore of Stone, Ray, and Walker—15.

The Speaker announced the following joint committee on the part of the House to investigate the location of the Normal School :
Messrs. Moore of Livingston, Sloan and Buller.

The hour for special order having arrived, being the consideration of

House bill No. 14, entitled
An act in relation to writs of *quo warranto*,
Was taken up, and,
On motion of Mr. Buller,
Was postponed until 2 o'clock, P. M.

The Speaker laid before the House the following communication from the Secretary of State, Mr. Eugene F. Weigel :

STATE OF MISSOURI, OFFICE OF SECRETARY OF STATE, }
CITY OF JEFFERSON, February 7, 1871. }

To the Honorable Speaker of the House of Representatives :

SIR : In reply to House resolution "requesting the Secretary of State to furnish all papers in the matters of controversy between Thomas Allen and the State of Missouri," etc., I beg leave to state that no such papers are in my possession, and it is my belief that they were never placed on file in this office.

Very respectfully,

EUGENE F. WEIGEL,
Secretary of State.

Which was read.

The House resumed the consideration of substitute for
House bill No. 73,
Pending which,

On motion of Mr. Stone,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The Speaker laid before the House the following communication of the Chief Clerk, Mr. Sutton :

MR. SPEAKER : In accordance with the resolution reported by the Committee on Ways and Means, requiring me to secure proposals for framing the equestrian portrait of Gen. Lyon, I respectfully submit the accompanying bid.

Which was read, and on motion,
Referred to the Committee on Ways and Means.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature :

House concurrent resolution No. 9, entitled

Concurrent resolution to investigate the location of the normal schools;

Also, bill entitled "an act to authorize the Kansas City, St. Joseph and Council Bluffs railroad company to change the route of its railroad between the city of St. Joseph and the city of Savannah ;

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature,

House bill No. 82, entitled

An act to repeal an act to amend chapter forty-nine of the General Statutes of Missouri, concerning school lands, approved February 2, 1870;

Which was read.

Mr. Colcord offered the following resolution :

Resolved, That the special order for this day, being the resolution offered by Mr. Thomas, on Constitutional Convention, be made the special order for night sessions, to commence at 7½ o'clock this evening, and continue until Monday night, and that on Tuesday morning next, at the hour of 11 o'clock, a direct vote be taken by the House on the resolution;

Which was read.

Mr. Buller offered the following amendment:

Amend by inserting "March 1st," instead of "next Monday ;"

Which was read and not agreed to.

The question recurring on the adoption of the resolution, the ayes and nays having been demanded, it was not adopted by the following vote :

AYES—Messrs. Abbee, Alsup, Bennett, Bittinger, Borg, Bosbyshell, Butler, Colcord, Crockett, Dod, Dolle, Edens, Edwards, Frost, Harmon, Hooper, Knott, Latshaw, Martin of Caldwell, Moore of Livingston, Mortell, Mullings, Murray, Norris, Pope, Rolston, Schooley, Scoville, Shafer, Shewalter, Stone, Squires, Von Kochtitzky, Wielandy, Worden and Mr. Speaker—37.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bohn, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Chilton, Claiborne, Cloud, Coleman, Collier, Davis, Doak, Eubanks, Fassen, George, Girdner, Goodson, Gray, Hackman, Hickman, Howell, Hutt, Koch, Lamson, Langston, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Murphy, Myers, Neal, O'Bannon of Pettis, Pauley, Raney, Robinson, Samuel, Shields, Sides, Smith, Sorrell, Steele, Thomas, Turner, Van Roden, White of Texas, and Wilkes—69.

Absent—Messrs. Bunch, Dean, Deht, Gates, Haas, Hubbell, Newman, O'Bannan of Dallas, Sharp, Sloan, Stancil and Walker—12.

Absent with leave—Messrs. Brown of Howard, Burrows, Hammett, Hardin, Kitchen, Koch, Marlin, McAllister, Moore of Stone, Randall, Ray, Sanford, Wight of Vernon, Williams of Audrain, and Williams of Morgan—15.

Sick—Messrs. Asher, Clark, Gratiot and Richardson—4.

The Speaker announced the following select committee on Constitution and Constitutional Amendments, ordered to be appointed by motion of Mr. Shields of Marion:

Messrs. Shields, 8th; Claiborne, 1st; Thomas, 2d; Collier, 3d; Abbee, 4th; Wright of Vernon, 5th; Shewalter, 6th; Burrows, 7th; Brown of Monroe, 9th; Pope, Turner, Colcord and Latschaw;

Which was read.

Mr. Shafer moved that the resolution be referred to the Committee on Constitutional Amendments, with instructions to report by bill or otherwise on Monday next, and demanded the previous question on his motion.

The previous question was not agreed to.

Mr. Goodson gave notice that he would to-morrow or some subsequent day introduce

A bill to provide for the proper allowance and disbursement of costs in criminal cases, and to repeal all provisions and general statutes and other acts in conflict with or repugnant to this act.

Also, a bill to establish a court of probate in the county of Macon.

Also, a bill to amend an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interest which have been improperly diverted from its object, etc.

Also, an act to define the powers of the county court of Macon, etc.

On motion of Mr. Bass,

The House adjourned until ten o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 8, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Shafer,
The further reading of the journal was dispensed with.

The Speaker laid before the House the following communication from the Chief Clerk:

MR. SPEAKER: I herewith submit proposals of Pettis & Leathe for framing the portrait of General Lyon.

D. A. SUTTON, *Chief Clerk.*

Which was read and, on motion,
Referred to Committee on Ways and Means.

Mr. Mullings presented a petition of William Derby and Benjamin Griley and others in regard to railroad taxation and the present powers of the county courts;

Which was read, and, on motion,
Referred to Committee on Internal Improvements.

Mr. Borg presented a petition of property holders and merchants on Second street, St. Louis, asking that a law may be passed to compel the North Missouri Railroad to abandon their right of way on said street;

Which was read, and, on motion,
Referred to Committee on Internal Improvements.

Mr. Von Kochtitzky presented a petition of the citizens of Laclede county praying for the formation of a new county of parts of Laclede, Texas and Wright counties;

Which was read, and, on motion,
Referred to Committee on County Boundaries.

Mr. Applegate gave notice that he would on to-morrow or some subsequent day introduce

A bill for the protection and benefit of merchants and farmers.

Mr. Newman presented a memorial of the Curators of the University of the State of Missouri asking an appropriation to erect a woman's college home for the accommodation of female students in the University;

Which was read, and, on motion,
Referred to Committee on Education.

Mr. Stone presented a petition of Thomas Allen asking for the confirmation of the title to the property and franchises of the Cairo and Fulton Railroad;

Which was read, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Bennett presented a petition of citizens of Perry county praying that James M. Christian be protected by law in exhuming Indian relics;

Which was read, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Shewalter presented a petition of citizens of Middleton township, Lafayette county, praying for a law to confer upon the mayor of Waverly City additional jurisdiction;

Which was read, and, on motion,

Referred to Committee on Local Bills.

Mr. Bittinger presented a petition from merchants of St. Joseph asking the repeal of an act to prevent the adulteration of spirituous liquors in this State;

Which was read, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Bennett presented a petition of citizens of Perry county asking the abolition of the county and State Board of Equalization and increasing the compensation of assessors;

Which was read, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Latshaw presented a petition of the citizens of Jackson county praying for the modification of the power given to boards of school directors;

Which was read, and

Referred to Committee on Education.

Mr. Squires presented a petition from citizens of Henry county remonstrating against any division of said county;

Which was read, and, on motion,

Referred to Committee on County Boundaries.

Mr. Barrett introduced a bill entitled

An act to amend an act entitled an act to incorporate the city of LaGrange, approved February 24, 1853;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Goodson introduced a bill entitled

An act to establish a court of probate in the county of Macon;
Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Goodson introduced a bill entitled

An act to provide for the proper allowances and disbursement of

costs in criminal cases, and to repeal all provisions of General Statutes and other acts in conflict with or repugnant to this act;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Goodson introduced a bill entitled

An act to amend an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interests which have been improperly diverted from their objects and purpose, etc., approved March 22, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Goodson introduced a bill entitled

An act to define the powers of the county court of Macon county in relation to the subscription of stock in the name and for said county to any railroad company or corporation, and to provide a punishment for any violation thereof;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr. Richardson introduced a concurrent resolution entitled

Concurrent resolution to allow an additional clerk in the State Auditor's office;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Bulkley, Burton, Butler, Chilton, Claiborne, Cloud, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Hardin, Harmon, Hickman, Howell, Knott, Koch, Langston, Latshaw, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Pauley, Pope, Raney, Richardson, Robinson, Rolston, Samuel, Schooley, Shafer, Shewalter, Sorrell, Steele, Stone, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audran and Worden—91.

NOES—Messrs. Abbee, Adams of Butler, Breazeale, Buller, Dod, Hooper, Hutt, Kitchen, Lamson, Leach, Leeper, Martin of Caldwell, Miller, Norris, O'Bannon of Pettis, Scoville, Sides, Smith, Squires, Thomas, Wilkes, Williams of Morgan and Mr. Speaker—23.

Absent—Messrs. Colcord, Neal and Brown of Monroe—3.

Absent with leave—Messrs. Bennett, Bunch, Burrows, Dent, Eubanks, Haas, Hammett, Hubbell, Kost, Randall, Ray, Sanford, Sharp, Sloan, Stancil, Turner and Walker—17.

Sick—Messrs. Clark, Gratiot and O'Bannan of Dallas—3.

On motion, leave of absence was granted to
Mr. Langston for two days, and
Mr. Eubanks for eight days.

Mr. Goodson presented a petition of John Neasom and forty-eight others of Macon City, Missouri, asking the repeal of chapter seventy-three of the General Statutes of Missouri relating to the inspection of liquors;

Which was read, and, on motion,
Referred to Committee on Judiciary.

Mr. Dod introduced a bill entitled
An act fixing the number and specifying the salaries of clerks to be employed in the various State offices;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Retrenchment and Reform.

Mr. Davis introduced a concurrent resolution, entitled
Concurrent resolution providing for the sale of the Executive mansion and to provide for an appropriation for the use of the Governor in lieu of the use of Executive mansion;

Which was read and on motion,
Laid on the table by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bulkley, Burton, Butler, Chilton, Claiborne, Coleman, Dod, Dolle, Dolman, Edens, Edwards, Gates, George, Girdner, Goodson, Gray, Hardin, Harmon, Hickman, Hutt, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Murphy, Newman, Norris, O'Bannon of Pettis, Richardson, Robinson, Samuel, Sanford, Shafer, Shewalter, Sloan, Smith, Sorrell, Thomas, Turner, Wielandy and Worden—60.

NOES—Messrs. Asher, Bell, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buller, Cloud, Colcord, Collier, Crockett, Davis, Fassen, Frost, Hackman, Hooper, Kitchen, Knott, Lamson, Langston, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, McMillan, Miller, Mitchell, Moore of Livingston, Mullings, Myers, Neal, Pope, Raney, Rolston, Schooley, Scoville, Sides, Steele, Stone, Squires, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—51.

Absent—Messrs. Abbee, Doak, Howell, Koch, Latshaw, Mortell, Murray, Pauley, Randall and Shields—10.

Absent with leave—Messrs. Burrows, Bunch, Eubanks, Dean, Dent, Haas, Hammett, Hubbell, Kost, Moore of Stone, Ray, Sharp and Stancil—13.

Sick—Messrs. Clark, Gratiot, and O'Bannan of Dallas—3.

Mr. Samuel introduced a bill entitled

An act to establish Meadow county and define its boundaries;
Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Mr. Samuel introduced a bill entitled

An act to amend sections forty nine, sixty-nine, seventy-six and ninety-four of chapter thirty-four, General Statutes of 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on County Boundaries.

Mr. Wielandy introduced a bill entitled

An act to restrain stock from running at large in such counties as may adopt the same;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

Mr. Martin of Caldwell, introduced a bill, entitled

An act entitled an act to amend an act entitled an act to establish a court of common pleas in the county of Caldwell, approved March 15, A. D., 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Worden introduced a bill entitled

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Mitchell introduced a bill entitled

An act to establish the twenty-seventh judicial circuit, to provide for the election of a judge and circuit attorney and for other purposes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Mitchell introduced a bill entitled

An act to amend sections eleven and thirty-two of chapter one hundred and thirty-six, of General Statutes, being sections eleven and thirty-four of article four of chapter forty-one of Wagner's Revised Statutes of Missouri, respecting courts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

The regular order of the day having been called for, being the consideration of Mr. Thomas' resolution, and motion of Mr. Shafer to refer the same to Committee on Constitutional Amendments;

It was taken up,
Pending which,

On motion of Mr. Mullings,
The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The consideration of the resolution offered by Mr. Thomas in relation to a Constitutional Convention, was resumed, the question being on the motion of Mr. Shafer to refer to the Committee on Constitutional Amendments.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed,
House concurrent resolution No. 10, entitled

Concurrent resolution asking our Senators and Representatives in Congress to vote for a law allowing pensions to the soldiers of 1812, and the widows of those deceased;

Also, House resolution No. 22, entitled

Concurrent resolution of inquiry;

And that the President has appointed on the part of the Senate, as member of the joint committee provided by House concurrent resolution No. 22, Senator Palmer;

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature a bill of the following title, to-wit:

Senate bill No. 8,

An act to amend section one of chapter forty-one, of the General Statutes, entitled, "of the incorporation of towns, election and powers of trustees," etc.;

Which was read.

The following communication was received from the Governor by his private secretary, Mr. Judson:

To the Honorable Speaker of the House of Representatives :

I have this day approved the following bills of the House :

A concurrent resolution to investigate the location of the Normal Schools;

An act to repeal an act entitled an act to amend chapter forty-nine of the General Statutes of Missouri concerning school lands, approved February 2, 1870.

Respectfully,

B. GRATZ BROWN.

Which was read.

On motion of Mr. Wielandy,

The House adjourned until 10 o'clock to-morrow morning.

THURSDAY, FEBRUARY 9, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain,

The journal of yesterday was being read, when,

On motion of Mr. Abington,

The further reading of the journal was dispensed with.

Mr. Claiborne offered the following resolution :

WHEREAS, The cause of Ireland's independence and freedom from English misrule should command the sympathy of any true friend of republican government, and

WHEREAS, There lately landed upon the shores of this republic a number of Irish patriots who have been by British tyranny exiled from their homes because of their labors in behalf of an Irish republic,

Resolved, That a committee of five be appointed to draft resolutions expressing the sympathy of the people of Missouri with the cause of Ireland, and extending to the Irish exiles an invitation to visit our State ;

Which was read and adopted.

Mr. Brown of Howard, offered the following resolution :

Resolved, That the Committee on Internal Improvements have leave of absence during the discussion of the subject of referring the

resolution in regard to the calling of a constitutional convention to the committee on Constitutional Amendments.

Which was read and adopted.

Mr. Crockett introduced the following resolution :

WHEREAS, The Missouri State Times, the official organ of the State in its daily edition supplied to the members of the Legislature by order of the same, contains a standing advertisement of a *Keno Establishment*, and in the edition of last Monday contained an additional notice of the same, calling attention therein (as an inducement for greater patronage) to the fact that "*Specie* is used in the Bank," and,

WHEREAS, The advertisement of such places maintained contrary to law, is at all times injurious to the interests of society, and especially as it is made to appear by said paper to be under the sanction of those called together to administer for the well-being of society, therefore, be it

Resolved, That a committee of three be appointed to ascertain whether the proceedings of this body cannot be furnished by a daily issue of the *Peoples Tribune*.

Which was read, and

On motion of Mr. Bass,

Was laid on the table by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bohn, Borg, Bradshaw, Bulkley, Buller, Burton, Chilton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Dod, Dolle, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Haas, Hardin, Harmon, Kitchen, Koch, Lamson, Latshaw, Logan, Marshall, McAllister, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Newman, O'Bannon of Pettis, Pauley, Richardson, Schooley, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Stone, Turner, Van Roden, Wright of Texas, Wight of Vernon, and Worden—68.

NOES—Messrs. Adams of Butler, Alsup, Bell, Bosbyshell, Breazele, Brown of Howard, Brown of Monroe, Buckham, Cloud, Crockett, Dolman, Gray, Hackman, Hickman, Hooper, Howell, Hutt, Langston, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, McPike, Miller, Myers, Neal, Norris, Raney, Randall, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Sorrell, Steel, Squires, Thomas, Von Kochtitzky, Wilkes, Williams of Audrain, and Williams of Morgan—45.

Absent—Messrs. Auer, Bittinger, Butler, Colcord, Knott, Martin of St. Louis, McMillan, Mortell, Pope and Wielandy—11.

Absent with leave—Messrs. Bunch, Burrows, Dent, Eubanks, Hammett, Hubbell, Kost, Ray, Stancil and Walker—10.

Sick—Messrs. Clark, Gratiot and O'Bannon of Dallas—3.

The speaker laid before the house a communication of the insurance companies, praying that an act may be passed restoring to them fees illegally collected by the insurance department of the State.

Which was read, and, on motion,

Referred to the Committee on Ways and Means.

The speaker announced the following committee to draft resolutions expressing the sympathy of the people of Missouri with the cause of Ireland, and extending to the Irish exiles an invitation to visit our State:

Messrs. Claiborne, Martin of St. Louis, Colcord, Mortell and Dolman.

The speaker laid before the House the following communication from the committee to investigate the affairs of the 81st and 82nd regiments of the Enrolled Missouri Militia:

MR. SPEAKER: Your special committee to whom was entrusted the duty of investigating the affairs of the 81st and 82d regiments of Enrolled Missouri Militia, and subsequently all other regiments of the Enrolled Missouri Militia would respectfully represent that immediately upon being appointed they assumed the duty assigned them and have diligently performed it up to this time in connection with the Adjutant General of the State; we find the amount of work to be done largely exceeding the time that your committee can appropriate to this investigation, in connection with other duties assigned them, and would respectfully ask of the House authority to employ a competent clerk to be paid for the actual time employed in the service of the committee;

Which was read and adopted.

Mr. Wielandy offered the following resolution:

WHEREAS, Information apparently based on good and credible evidence has been received that the present Factor of the Penitentiary has departed from the rules hitherto adopted in that institution to give out contracts for supplies to the lowest responsible bidder; and,

WHEREAS, It is currently reported that said Factor has relinquished a contract made by the former Factor for the supply of beef for the use of said Penitentiary at the rate of three and a half cents gross per pound, and has given out a new contract for said beef supply privately and without public notice, and at the rate of ten cents per pound net; and,

WHEREAS, It is also stated that a contract for corn has been given out by said Factor at the rate of 80 cents per bushel, while corn can be purchased in this market in unlimited quantities and delivered for 50 cents a bushel or even at a better rate; therefore, be it

Resolved, That the Committee on Penitentiary be and the same is hereby instructed to inquire into the mode and manner in which the beef and corn contracts and other contracts for the use of said Penitentiary have been given out; and that if they deem the same necessary they do report a bill to regulate the mode and manner of giving out contracts for supplies purchased for the use of the Penitentiary, amendatory of the present law on the subject;

Which was read.

Mr. Knott offered the following resolution:

Resolved, That the resolution be referred to Committee on Penitentiary with instructions to report to the House the facts in the matter;

Which was read and adopted.

The hour for the regular order having arrived, being the consideration of the resolution of Mr. Thomas in relation to a Constitutional Convention.

The question being upon the motion of Mr. Shafer to refer,

Mr. Edens offered the following resolution:

Resolved, That in the further discussion of the Constitutional Convention resolution, members shall be limited to five minutes each; Which was read.

Mr. Neal moved to reject the resolution.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barrett, Bennett, Bohn, Cloud, Collier, Crockett, Davis, Dod, Fassen, Haas, Harmon, Knott, Lamson, Langston, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Raney, Robinson, Scoville, Shewalter, Shields, Sloan, Smith, Steele, Wielandy, Wilkes and Williams of Morgan—41.

NOES—Messrs. Abington, Adams of Butler, Ballard, Barnes, Bass, Bell, Beltrami, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Chilton, Claiborne, Colcord, Coleman, Doak, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Hardin, Hickman, Hooper, Howell, Hutt, Kitchen, Koch, Kost, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Mortell, Murphy, Murray, Myers, Newman, Pauley, Randall, Richardson, Rolston, Samuel, Sanford, Schooley, Shafer, Sharp, Sides, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon, Williams of Audrain and Worden—79.

Absent—Messrs. Borg, Butler and Pope—3.

Absent with leave—Messrs. Bunch, Burrows, Clark Dent, Dean, Eubanks, Hammett, Ray, Stancil, and Walker—10.

Sick—Messrs. Gratiot, O'Bannon of Dallas and Hubbell—3.

Mr. Wielandy offered the following amendment:

Amend by striking out "five minutes" and inserting "fifteen minutes;"

Which was read.

Mr. Myers moved to lay the amendment on the table;

Which was not agreed to.

Mr. Goodson moved to reject the amendment.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Barnes, Bell, Beltrami, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Bulkley, Buller, Burton, Chilton, Cloud, Colcord, Coleman, Collier, Edens, Edwards, Fassen, George, Girdner, Goodson, Hackman, Hardin, Hickman, Hooper, Howell, Hutt, Kitchen, Latshaw, Leeper, Mabrey, Ming, Mitchell, Murphy, Myers, Newman, Pauley, Richardson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Sides, Smith, Sorrell, Stone, Thomas, Turner, Von Kochtitzky, Walker, Wight of Vernon and Worden—57.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bennett, Bohn, Brown of Monroe, Buckham, Claiborne, Crockett, Davis, Dod, Dolle, Dolman, Frost, Gates, Gray, Haas, Harmon, Knott, Koch, Lamson, Langston, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Mortell, Mullings, Neal, Norris, O'Bannon of Pettis, Pope, Randall, Robinson, Rolston, Scoville, Shields, Steele, Squires, Van Roden, Wielandy, White of Texas, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—61.

Absent—Messrs. Borg, Doak, and Murray—3.

Absent with leave—Messrs. Bunch, Burrows, Dean, Dent, Eubanks, Hammett, Hubbell, Kost, Randall, Sloan and Ray—13.

Sick—Messrs. Butler, Clark, Gratiot, and O'Bannon of Dallas—4.

Mr. Neal offered the following amendment :

Amend by striking out "fifteen," and insert "thirty ;"

Which was read.

Mr. Buller moved to lay the amendment on the table ;

Which was agreed to.

On motion of Mr. Thomas,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of Mr. Thomas' resolution, and the motion of Mr. Shafer to refer the same to Committee on Constitutional Amendments.

The following message from the Senate was received by its Secretary, Mr. Hendrick :

JEFFERSON CITY, February 9, 1871.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body bills of the following titles :

Senate bill No. 5, entitled

An act to re-enact section thirty, chapter two hundred and seven of the General Statutes, entitled of crimes and their punishments, and being section thirty, article nine, Wagner's Missouri Statutes; Senate bill No. 12, entitled

An act to amend section sixteen of chapter forty-one of the General Statutes of the State of Missouri, entitled "of the incorporation of towns, election and power of trustees," etc.;

Senate bill No. 44, entitled

An act for the payment of Capt. Lehman's company of Missouri Militia;

Senate bill No. 46, entitled

An act to amend an act amendatory of an act entitled an act to incorporate the town of Brunswick, approved March 7, 1870;

Senate bill No. 20, entitled

An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868;

Senate bill No. 28, entitled

An act to provide for the investment of balances in the executors' and administrators' and redemption of land funds;

In which the concurrence of the House is respectfully requested; Which was read.

Mr. Samuel demanded the previous question on the motion of Mr. Shafer to refer to Committee on Constitutional Amendments.

The ayes and noes having been demanded, it was not agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Burton, Chilton, Claiborne, Coleman, Collier, Davis, Doak, Dod, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Haas, Hardin, Howell, Hutt, Kitchen, Knott, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Mortell, Murphy, Murray, Myers, Newman, Pauley, Raney, Richardson, Rolston, Samuel, Sanford, Schooley, Shafer, Sharp, She-walter, Sides, Sloan, Smith, Sorrell, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—76.

NOES—Messrs. Abbee, Adams of Gentry, Asher, Bradshaw, Brea-zeale, Buckham, Cloud, Crockett, Dean, Dolle, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Randall, Robinson, Sco-ville, Shields, Steele, Squires, Wieland, Wilkes and Williams of Mor-gan—40.

Absent—Messrs. Alsop, Bohn, Colcord, Fassen, Gray and Pope—6.

Absent with leave—Messrs. Borg, Bunch, Burrows, Butler, Clark, Dent, Eubanks, Hammett, Hubbell, Marshall, Ray, Stancil and Walk-er—13.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Shafer, with permission, withdrew his motion to refer the resolution to Committee on Constitutional Amendments.

The question then recurred on the adoption of Mr. Thomas' resolution.

The ayes and noes having been demanded by Messrs. Claiborne and Mullings, was adopted by the following vote :

AYES—Messrs. Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Boshyshell, Brown of Howard, Brown of Monroe, Bulkley, Burton, Chilton, Claiborne, Coleman, Collier, Davis, Doak, Dolman, Edens, Frost, Gates, George, Girdner, Goodson, Gray, Hardin, Howell, Hutt, Kitchen, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, Pauley, Raney, Richardson, Rolston, Samuel, Sanford, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—71.

NOES—Messrs. Abbee, Abington, Alsup, Asher, Bittinger, Bohn, Bradshaw, Breazeale, Buckham, Buller, Cloud, Crockett, Dean, Dod, Dolle, Edwards, Haas, Hackman, Harmon, Hickman, Knott, Kost, Lamson, Langston, Leach, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Randall, Robinson, Scoville, Shields, Squires, Wielandy, Wilkes, Williams of Morgan and Worden—43.

Absent—Messrs. Colcord, Fassen, Hooper, Schooley and Steele—5.

Absent with leave—Messrs. Adams of Gentry, Borg, Bunch, Burrows, Butler, Clark, Dent, Eubanks, Hammett, Hubbell, Marshall, Pope, Ray, Sharp, Stancil and Walker—16.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

On motion, leave of absence was granted to Messrs. Pope, Adams of Gentry and Myers.

Mr. Martin of St. Louis, of Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature,

House concurrent resolution No. 16, entitled

Concurrent resolution asking our Senators and Representatives in Congress to vote for a law allowing pensions to the soldiers of 1812, and the widows of those deceased;

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled the following concurrent resolutions:

House concurrent resolution No. 16, entitled

Concurrent resolution asking our Senators and Representatives

in Congress to vote for a law allowing pensions to the soldiers of 1812, and the widows of those deceased;

House concurrent resolution No. 22, entitled

Concurrent resolution of inquiry;

Which was read.

On motion of Mr. Adams of Butler,

The House adjourned until 10 o'clock to-morrow morning.

FRIDAY, FEBRUARY 10, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker *pro tem.*, Mr. Frost, in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,

On motion of Mr. Borg,

The further reading was dispensed with.

Mr. Neal moved that the resolution adopted on Monday last, to provide members with postage stamps, be so amended as to include officers of the House.

Mr. Leeper offered the following amendment:

Amend by adding "elective" before the word "officers;"

Which was read and agreed to.

Mr. Scoville offered the following substitute:

Resolved, That the Chief Clerk, Assistant Clerk, Enrolling Clerks, Engrossing Clerks, Official Reporter, Journal Clerks, Docket Clerks, Minute Clerk, Doorkeeper, Sergeant-at-Arms and Folders, be allowed postage stamps the same as members;

Which was read and adopted.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

SENATE CHAMBER,
City of Jefferson, January 9, 1871.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following Senate bill has been introduced into and passed the Senate;

Senate bill No. 48, entitled

An act to regulate and provide for the inspection of tobacco;
In which the concurrence of the House is respectfully requested.

Also, that the Senate has taken up

House bill No. 63, entitled

An act to change the time of holding courts in the 15th judicial circuit;

And passed the accompanying substitute therefor.

Also that the Senate has taken up

House concurrent resolution No. 24, entitled

Concurrent resolution to allow an additional clerk in the State Auditor's office;

And passed the same with the enclosed amendments;

In which the concurrence of the House is respectfully requested ;

Which was read.

Mr. Smith offered the following resolution :

Resolved, That the use of this Hall be, and the same is hereby granted to Miss Anna E. Dickinson, on the evening of Thursday, February 23, 1871, for the purpose of delivering a lecture herein, at that time. Subject, "Joan of Arc ;"

Which was read.

Mr. Stone offered the following amendment :

Amend, "provided, no entrance fee is charged for admittance to this Hall ;"

Which was read and adopted.

Mr. Dean moved to lay the resolution on the table.

The ayes and nays having been demanded, was not agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Asher, Barnes, Barrett, Borg, Bradshaw, Brown of Howard, Bulkley, Buller, Burton, Coleman, Dean, Dolle, Edwards, Frost, George, Gray, Haas, Hardin, Kitchen, Knott, Koch, Langston, Latshaw, Leeper, Marlin, Maupin, McAllister, Ming, Moore of Stone, Murphy, Murray, Norris, Sharp, Shewalter, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy and Wilkes—46.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Beltrami, Bennett, Bittinger, Breazeale, Brown of Monroe, Buckham, Butler, Colcord, Crockett, Davis, Dod, Dolman, Fassen, Gates, Girdner, Hackman, Harmon, Hooper, Howell, Kost, Lamson, Logan, Marshall, Martin of Caldwell, Mabrey, McMillan, Moore of Livingston, Mortell, Neal, O'Bannon of Pettis, Pope, Raney, Randall, Ray, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, Smith, Williams of Morgan and Worden—49.

Absent—Messrs. Bohn, Chilton, Claiborne, Cloud, Doak, Hutt, McPike, Miller, Mullings, Shields, Sides, Sloan, White of Texas, and Wight of Vernon—14.

Absent with leave—Messrs. Bass, Bell, Bosbyshell, Burrows, Clark, Collier, Dent, Edens, Eubanks, Goodson, Hammett, Hickman, Hubbell, Leach, Martin of St. Louis, Mitchell, Myers, Newman, Pauley, Samuel, Stancil, Steele, Williams of Audrain and Mr. Speaker—24.

Sick—Messrs. Bunch, Gratiot, O'Bannan of Dallas and Richardson
—4.

The resolution as amended was then adopted.

Mr. Claiborne presented the credentials of W. S. Street, member elect from the county of Newton, to fill the vacancy caused by the death of Hon. Lyman Beeman.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following bill has been introduced into and passed that body

Senate bill No. 72, entitled

An act to amend section fourteen, chapter one hundred and sixty of the General Statutes of Missouri, and being section fourteen of chapter fifty-five of Wagner's Statutes;

In which the concurrence of the House is respectfully requested ;
Which was read.

The Speaker announced the following committee as provided by concurrent resolution of inquiry :

Messrs. Wilkes and Von Kochtitzky.

Mr. Neal offered the following resolution :

Resolved, That the credentials of W. S. Street be referred to the Committee on Elections, for investigation as to the legality of his election ;

Which was read.

The chair decided that the certificate of election was *prima facie* evidence of election, and the member would be sworn in.

Mr. Neal appealed from the decision of the Chair.

Pending which, the House,
On motion of Mr. McMillan,
Adjourned until Monday, 10 o'clock, A. M.

MONDAY, FEBRUARY 13, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of Friday was read and approved.

Mr. Barrett called the attention of the Chair to the injustice of the resolution of Mr. Scoville in regard to postage stamps passed on Friday, in leaving out a number of the Enrolling and Engrossing Clerks.

The Chair informed the gentleman from Lewis that the intention of the resolution was to include those clerks, and that it would be so ordered if no objections were made.

No objections being made, it was so ordered.

The question pending at adjournment on Friday being the appeal taken from the Chair by Mr. Neal in reference to swearing in the member elect from Newton county,

Was taken up.

The Chair withdrew its ruling on Friday last.

Mr. Neal withdrew his resolution to refer the credentials of W. S. Street to the Committee on Elections.

The question then recurred on the motion of Mr. Claiborne to swear in the member from Newton county.

The ayes and noes having been demanded, it was not agreed to by the following vote :

AYES—Messrs. Adams of Butler, Applegate, Auer, Ballard, Barnes, Beltrami, Borg, Brown of Howard, Buckham, Bulkley, Burton, Butler, Claiborne, Coleman, Davis, Dean, Dod, Edens, Frost, Girdner, Hardin, Howell, Hutt, Kitchen, Knott, Koch, Latshaw, Leeper, Maupin, Mabrey, McMillan, Newman, Randall, Sanford, Stancil and Wielandy—36.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Barrett, Bennett, Bohn, Bradshaw, Breazeale, Buller, Doak, Dolle, Dolman, Fassen, Gates, Gray, Hooper, Hubbell, Kost, Lamson, Langston, Leach, Marlin, McAllister, Miller, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Norris, Pauley, Pope, Raney, Robinson, Shafer, Smith, Thomas, Von Kochtitzky, Walker, Wight of Vernon, Wilkes and Worden—43.

Absent—Messrs. Abington, Asher, Cloud, Colcord, Edwards, George, Hickman, Mitchell and Sloan—10.

Absent with leave—Messrs. Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Crockett, Dent,

Eubanks, Goodson, Haas, Hackman, Harmon, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Ming, Mortell, Murphy, Myers, O'Bannon of Pettis, Ray, Richardson, Rolston, Samuel, School-ey, Sides, Scoville, Sharp, Shewalter, Shields, Sorrell, Squires, Steele, Stone, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan and Mr. Speaker—46.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

On motion, leave of absence was granted to

Mr. Van Roden for three days.

Mr. Marlin for two days.

Mr. Scoville for two days.

Mr. Hackman for two days.

Mr. Harmon for two days.

Mr. Crockett for two days.

Mr. White of Texas for two days.

Mr. Brown of Monroe for three days.

Mr. Marshall for three days.

Mr. Shafer for three days.

Mr. Sorrell for three days.

Mr. Bittinger for three days.

Mr. Myers for three days.

Mr. Chilton for five days.

Mr. Sides for five days.

Mr. Schooley for one day.

Mr. Rolston for one day.

Mr. Haas for one day.

Mr. Ming for one day.

Mr. Barrett offered the following resolution:

Resolved, That inasmuch as neither W. S. Street nor his constituents were responsible for the illegality in the election in Newton county, the Committee on Accounts be authorized to audit the account of said W. S. Street for the usual mileage and per diem not exceeding ten days travel going and returning, to be paid out of the contingent fund;

Which was read.

The ayes and noes having been demanded, it was agreed to by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Brown of Howard, Buckham, Buckley, Burton, Butler, Claiborne, Colcord, Coleman, Doak, Dod, Dolle, Dolman, Edens, Fassen, Frost, Gates, Girdner, Hardin, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Latshaw, Leach, Leeper, Maupin, Mabrey, McAllister, McMillan, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Pauley, Pope, Randall, Robinson, Sanford, Sharp, Shewalter, Smith, Stancil, Thomas, Walker, Wielandy and Worden—62.

NOES—Messrs. Abbee, Alsup, Breazeale, Buller, Davis, Dean, Gray, Hooper, Kost, Lamson, Langston, Marlin, Miller, Norris, Raney, Von Kochitzky, Wight of Vernon and Wilkes—18.

Absent—Messrs. Asher, Cloud, Collier, Edwards, George, Hickman, Mitchell, Rolston, Shields, Sloan and Steele—11.

Absent with leave—Messrs. Abington, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Clark, Chilton, Crockett, Dent, Eubanks, Goodson, Haas, Hackman, Hammett, Harmon, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Ming, Mortell, Murphy, Myers, O'Bannon of Pettis, Ray, Richardson, Samuel, Schooley, Scoville, Shafer, Sides, Sorrell, Squires, Stone, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan and Mr. Speaker—44.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Bulkley offered the following resolution:

Resolved, That the use of this Hall be given to Miss A. Townsley on Wednesday evening the 15th inst., for the purpose of delivering a lecture;

Which was read.

Mr. Dod offered the following substitute:

Resolved, That until further action by this House the Committee on Permanent Seat of Government have power to grant or refuse the use of this Hall to lecturers;

Which was read.

The morning hour having expired, Mr. Davis called for the regular order of the day.

Mr. Knott moved to postpone the regular order until the pending question was disposed of;

Which was agreed to.

The substitute was then agreed to.

The regular order of the day was then taken up, being the consideration of

Substitute for House bill No. 73.

Mr. Pope moved that the bill and substitute be recommitted to the Committee on Benevolent and Scientific Institutions.

Mr. Buller moved to lay the motion to recommit on the table;

Which was agreed to.

Mr. Leeper moved to postpone the bill indefinitely.

Mr. Barrett moved to recommit the bill.

Mr. Neal moved the previous question, which was ordered, and the bill was recommitted.

House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads,

Was taken up.

Mr. Brown of Howard, moved to postpone the further consideration of the bill until Wednesday, February —, at 11 o'clock, A. M.;

Which was agreed to.

Mr. Pauley of the Committee on Manufactures, submitted the following report:

MR. SPEAKER: The committee to whom was referred House bill No. 88, entitled

An act to amend section two of chapter ninety-three of General Statutes of Missouri, in relation to merchants' license,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it pass;
Which was read.

House bill No. 88, entitled

An act to amend section two of chapter ninety-three of General Statutes of Missouri, in relation to merchants' license,

Was taken up, and, on motion,
Recommended, and 150 copies ordered printed.

Mr. Walker of the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred the contested election case from the Second Representative District of the county of Cooper, in which one Samuel Wear is the contestor, and David Steele, contestee and sitting member, after a careful examination of the papers and testimony in the case, beg leave to make the following report:

That, from the certificate made to the Secretary of State by the clerk of the county of Cooper, we find that contestor received for the office of Representative from the Second Representative District of Cooper county, three hundred and twenty-eight votes (328), and contestee (335) three hundred and thirty-five votes for the same office; but from the sealed ballots returned from the several precincts in said county, your committee find that the contestor received (323) three hundred and twenty-three votes, and contestee (333) three hundred and thirty-three votes, leaving a majority for contestee of ten votes; and your committee further find that the following legal votes were given for contestor and were not counted by the judges and clerks of the several election precincts for him as they should have been: George I. Key, Adoniah Key, William S. Harwood, William Flockhard, August Holdener, Leroy Geary, Edmont Cramer, Horace M. Ellis, Henry J. Arlson, Urbin E. Kellog, John H. Parish, Samuel W. Wornall, William Garret, Absalom Mayor, James M. Stephens, Charles E. Steward, Jonathan Joyce; and your committee ask that these votes, seventeen in number, shall be added to the votes of contestor, making an aggregate of three hundred and forty votes. Your committee also further find that the following legal votes, voted or offered to vote for contestee, viz: Samuel Jackson, Robert Dreabance, Jonathan B. Hunt, Jesse Conns, Israel Kable, Peter Humble, and as these ballots were lost and not returned for contestee by the judges and clerks of election in the several election precincts, your committee ask that they shall be counted for him, making an aggregate of (339) three hundred and thirty-nine votes; and, from the evidence your committee find that the following illegal votes were cast and counted for contestor, and ask that they may be deducted from his aggregate vote: Patrick Doyle, William Johnson, Joseph Varner, Hiram Varner, leaving for contestor a total of (336) three hundred and thirty-six votes; and your committee also further find, from the evidence, that the following illegal votes were cast and counted for contestee, and ask that they may be deducted from his aggregate vote: Alfred Turner, John O. Phillips, leaving for contestee a total of (337) three hundred and thirty-seven votes, and a majority over contestor of one vote. Therefore your committee respectfully beg leave to offer the following resolution and recommend its adoption:

Resolved, That D. K. Steele, the contestee and sitting member from the Second Representative District of the county of Cooper, is entitled to the seat in the Twenty-sixth General Assembly, which he now occupies.

JOHN R. WALKER, *Chairman*,
ED. W. TURNER,
JAMES S. LOGAN,
JOHN W. WILLIAMS,
WILLIAM H. BENNETT,
D. L. KOST.

Which was read and adopted.

On motion of Mr. Mullings,
The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

On motion of Mr. Thomas,
House bill No. 63, entitled

An act to change the time of holding courts in the fifteenth judicial circuit,

Was taken up, together with an amendment by way of substitute as reported from the Senate.

It was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Colcord, Coleman, Davis, Dean, Doak, Dod, Dolle, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Hardin, Hooper, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Maupin, Mabrey, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Robinson, Sanford, Sharp, Shewalter, Sloan, Smith, Stone, Thomas, Von Kochtitzky, Wielandy, White of Texas, Wilkes and Worden—76.

NOES—None.

Absent—Messrs. Asher, Barnes, Claiborne, Dolman, Gray, Howell, Koch, Martin of Caldwell, Mitchell, Stancil, Walker and Wight of Vernon—12.

Absent with leave—Messrs. Abington, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hackman, Hammett, Harmon, Hickman, Logan, Marshall, Martin of St. Louis, McPike, Ming, Mortell, Murphy, Myers, O'Bannon of Pettis, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sorrell, Steele, Squires, Turner, Van Roden, Williams of Audrain, Williams of Morgan, and Mr. Speaker—47.

Sick—Messrs. Gratiot, and O'Bannon of Dallas—2.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary; to whom was referred

House bill No. 72, entitled

An act to exempt certain property from the debts of the husband, and to exempt property of husband from the debts of the wife contracted before marriage,

Have had the same under consideration, and have instructed me to report it back to the House with recommendation that it pass;

Which was read.

House bill No. 72, entitled

An act to exempt certain property from the debts of the husband, and to exempt property of husband from the debts of the wife contracted before or after marriage,

Was taken up, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Bailard, Barnes, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Claiborne, Colcord, Coleman, Davis, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Gray, Hackman, Hardin, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Langston, Latshaw, Leach, Leeper, Maupin, Mabrey, McAllister, Ming, Moore of Livingston, Mullings, Murray, Newman, Pauley, Pope, Raney, Randall, Robinson, Sanford, Sharp, She-walter, Smith, Stancil, Stone, Thomas, Von Kochtitzky, Walker, Wielandy, Wight of Vernon and Worden—76.

NOES—Messrs. Breazeale, Kost, McMillan, Miller, Moore of Stone Neal, Norris and Wilkes—8.

Absent—None.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hammett, Harmon, Hickman, Koch, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Mortell, Murphy, Myers,

O'Bannan of Dallas, O'Bannon of Pettis, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sorrell, Steele, Squires, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan, and Mr. Speaker—52.

Sick—Mr. Gratiot—1.

Mr. Neal moved to amend title by inserting the words, "or after," before the word "marriage."

Mr. Pope moved to pass over the title informally;

Which was agreed to.

Mr. Knott moved to reconsider the vote by which the bill passed;

Which was agreed to.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred

House bill No. 18, entitled

An act to provide for the legalizing of the county court of Laclede and to regulate the justices thereof,

Have had the same under consideration, and have instructed me to report back to the House a substitute therefor, for good and sufficient reasons, which is entitled

An act in relation to the county court of Laclede county, and to make the probate judge of said county the presiding justice of said county court, and legalizing the acts of said court,

With recommendations that it do pass;

Which was read.

House bill No. 18, entitled

An act to provide for the legalizing of the county court of Laclede county and to regulate the justices thereof,

Was taken up, together with an amendment by way of substitute as recommended by the committee,

Was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Claiborne, Colcord, Coleman, Davis, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Gray, Hackman, Hardin, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Maupin, Mabrey, McAllister, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Robinson, Sanford, Sharp, Shewalter, Smith, Stancil, Stone, Thomas, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes and Worden—83.

NOES—None.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hammett, Harmon,

Hickman, Koch, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McMillan, McPike, Mitchell, Mortell, Murphy, Myers, O'Bannon of Dallas, O'Bannon of Pettis, Randall, Ray, Rolston, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sloan, Sorrell, Steele, Squires, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan and Mr. Speaker—53.

Sick—Mr. Gratiot—1.

Mr. Von Kochtitzky moved to amend the title to read as follows :

An act in relation to the county court of Laclede county, and to make the probate judge of said county the presiding justice of said county court ;

Which was agreed to.

Mr. Buller moved to reconsider the vote by which the bill passed.

Mr. Buller moved to lay his motion to reconsider on the table ;

Which was agreed to.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means to whom was referred

House bill No. 76, entitled

An act to repeal section two of an act entitled an act to amend sections twenty-four, forty-three, forty-four, forty-five, forty-six, fifty-two and sixty, also section sixteen of chapter ten of the General Statutes of the State of Missouri, in relation to collection of revenue, approved March 10, 1870,

Have had the same under consideration, and respectfully recommend that it be referred to the Joint Committee on Revenue ;

Which was read.

House bill No. 76, entitled

An act to repeal section two of an act entitled an act to amend sections twenty four, forty-three, forty-four, forty-five, forty-six and fifty-two and sixty of chapter thirteen, and also section sixteen of chapter ten of the General Statutes of the State of Missouri, in relation to collection of revenue, approved March 10, 1870,

Was taken up, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Memorial from citizens of Saline county, relating to assessments, Have had the same under consideration, and respectfully recommend that it be referred to the Joint Committee on Revenue ;

Which was read, and on motion,

Referred to Joint Committee on Revenue.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 32, entitled

An act to amend an act entitled an act to amend sections twenty-four, forty-three, forty-four, forty-five, forty-six, fifty-two and sixty of chapter thirteen, and section sixteen of chapter ten of the General Statutes of Missouri, in relation to the collection of the revenue, approved March 10, 1870,

Have had the same under consideration, and respectfully recommend that it be referred to the Joint Committee on Revenue.

Which was read.

House bill No. 32, entitled

An act to amend an act entitled an act to amend sections twenty-four, forty-three, forty-four, forty-five, forty-six, fifty-two and sixty, chapter thirteen, and section sixteen, chapter ten of the General Statutes of Missouri, in relation to the collection of the revenue, approved March 10, 1870,

Was taken up, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Proposals for framing portrait of General Lyon,

Have had the same under consideration, and beg leave to report that the bid of George M. Harding, of St. Louis, is the lowest and best bid, and we recommend that the Chief Clerk of this House be authorized and required to contract with the said George M. Harding to frame the portrait of General Nathaniel Lyon, at a cost of three hundred and fifty dollars;

Which was read.

The bill so reported by the committee, entitled

An act authorizing the Chief Clerk of this House to cause the portrait of General Nathaniel Lyon, now suspended in the Hall of the House of Representatives, to be framed, and providing for the paying for the same,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Auer, Barrett, Beltrami, Bennett, Bohn, Borg, Breazeale, Brown of Howard, Ruckham, Bulkley, Buller, Burton, Butler, Chilton, Colcord, Coleman, Dean, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Gray, Hackman, Hardin, Hooper, Howell, Hubbell, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Robinson, Sanford, Sharp, Shewalter, Sloan, Smith, Steele, Stone, Walker, Wielandy, Wight of Vernon, Wilkes and Worden—77.

NOES—Messrs. Applegate, Ballard, Bradshaw, Davis, Edens, Girdner, Ming, Stancil, Thomas and Van Roden—10.

Absent with leave—Messrs. Asher, Barnes, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hammett, Harmon, Hickman, Koch, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Mortell, Murphy, Myers, O'Bannon of Dallas, O'Bannon of Pettis, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan and Mr. Speaker—48.

Sick—Mr. Gratiot—1.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 66, being

An act to extend the time for the completion of a railroad bridge across the Missouri river at St. Charles,

Have had said bill under careful consideration, and have instructed me to report as a substitute

An act to amend an act entitled an act to sell the claims of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868,

And to recommend that the substitute do pass;

Which was read.

House bill No. 66, entitled

An act to extend the time for the completion of a railroad bridge across the Missouri at St. Charles,

Was taken up, together with an amendment by way of substitute as recommended by the committee, it was read and agreed to.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Claiborne, Colcord, Coleman, Davis, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Gray, Hackman, Hardin, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latschaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, McAllister, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Robinson, Rolston, Sanford, Sharp, Shewalter, Sloan, Smith, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, Wielandy, Wilkes and Worden—87.

NOES—None.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bittinger, Bosbyshell, Brown from Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hammett, Harmon, Hickman, Koch, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Mortell, Murphy, Myers, O'Bannon of Pettis, Ray, Richardson, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan and Mr. Speaker—47.

Sick—Messrs. Gratiot, O'Bannan of Dallas and Wight of Vernon
—3.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, have had under consideration amendments to the general school law, and have instructed me to report the following bill with the recommendation that the same do pass;

Which was read.

The bill as recommended by the committee, entitled

An act to amend sections six, thirteen, fourteen, seventeen and eighteen of an act entitled an act to provide for the reorganization and support of public schools, and revise and amend laws relating thereto, and repeal certain acts and parts of acts, approved March 19, 1870,

Was taken up, read the the first time, the rules suspended, read the second time, made special order for Thursday, February 16, at 11 o'clock, A. M., and 150 copies ordered printed.

Mr. Mullings, of the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education have had under consideration House bills 62 and 113, and have instructed me to report the same back with the recommendation that the following substitute do pass;

Which was read.

House bills Nos. 113 and 62 were taken up, together with an amendment by way of substitute as recommended by the committee;

Which was read the first time, the rules suspended, read the second time, and on motion,

Made the special order for Thursday, February 16, at 11 o'clock, A. M., and 150 copies ordered printed.

The following communication was received from his Excellency, Governor B. Gratz Brown, by his secretary, Mr. Judson:

JEFFERSON CITY, Mo., February 13, 1871.

To the Honorable Speaker of the House of Representatives:

I have the honor to inform you that I have this day approved the following bills of the House:

Concurrent resolution asking our Senators and Representatives in Congress to vote for a bill to grant pensions to the surviving soldiers of the war of 1812, and the widows of such soldiers as are deceased;

Concurrent resolution of inquiry.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Mullings, of the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education to whom was referred

House resolution No. 23,

And have instructed me to report the following substitute for the same and recommend that the substitute do pass;

Which was read.

House concurrent resolution No. 23, entitled

House concurrent resolution to provide for the transfer of arms;

Was taken up, together with an amendment by way of substitute as recommended by the committee;

Which was read and agreed to.

The resolution as amended was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Claiborne, Colcord, Colman, Davis, Dean, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, Girdner, Gray, Hackman, Hardin, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, McAllister, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Robinson, Ralston, Sanford, Sharp, Shewalter, Smith, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, Wielandy, Wilkes, and Worden—84.

NOES—None.

Absent—Messrs. Doak, George and Sloan—3.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Ohilton, Clark, Cloud, Collier, Crockett, Dent, Eubanks, Goodson, Haas, Hammett, Harmon, Hickman, Koch, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Mortell, Murphy, Myers, O'Bannon of Pettis, Ray, Richardson, Samuel, Schooley, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain, Williams of Morgan, and Mr. Speaker—47.

Sick—Messrs. Gratiot, O'Bannon of Dallas and Wight of Vernon—3.

Mr. Edwards gave notice that he would to-morrow or some subsequent day introduce a bill to repeal an act entitled

An act to appropriate money for the payment of the State Entomologist, approved March 23, 1870, the object of which bill is to abolish the office of State Bug Catcher.

Mr. Mullings, of the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred

House bill No. 46, entitled

An act to increase the public school fund of the State of Missouri,

Have had the same under consideration and instructed me to report the accompanying substitute, with the recommendation that it do pass;

Which was read.

House bill No. 46, entitled

An act to increase the public school fund of the State of Missouri,

Was taken up, together with an amendment by way of substitute as recommended by the committee.

Which was read, and on motion, made special order for Thursday, February, 11 o'clock A. M., and 300 copies ordered printed.

Mr. Murray of the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: The Committee on Criminal Jurisprudence, beg leave to report that they have had under consideration,

House bill No. 87, entitled

An act to amend sections one and two of chapter two hundred and seventeen, of the General Statutes, concerning the custody and management of the estates of convicts;

And that having duly considered the same, they recommend that it do pass;

Which was read.

House bill No. 87, entitled

An act to amend sections one and two of chapter two hundred and seventeen of the General Statutes, concerning the custody and management of the estates of convicts;

Was taken up, and on motion,

Recommitted to Committee on Criminal Jurisprudence.

Mr Murray of the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: The Committee on Criminal Jurisprudence, to whom was referred

House bill No. 156, entitled

An act to amend section twenty-five, chapter two hundred and one, of the General Statutes of Missouri, concerning offences against public and private property,

Report that they have carefully considered the same, and submit the accompanying substitute, with the recommendation that it do pass;

Which was read.

House bill 156, entitled

An act to amend section twenty-five, chapter two hundred and one of the General Statutes of Missouri, of offences against public and private property;

Was taken up, together with an amendment by way of substitute,

Which was read.

Mr. McMillan offered the following amendment:

Amend by striking out "sheep, hog or bee hive,"

Which was read.

Pending which,

On motion of Mr. Bulkley,

The House adjourned until 10 o'clock, to-morrow morning.

TUESDAY, FEBRUARY 14, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Wielandy,
The further reading of the journal was dispensed with.

Mr. Worden presented a petition of the citizens of Cass county, asking for a law permitting township organizations in such counties as may avail themselves thereof;

Which was read, and, on motion,
Referred to the Committee on Township Organizations.

Mr. Hutt presented a petition signed by eighteen hundred and forty-five citizens of the counties of Jackson, Johnson and Cass, asking for the formation of Richland county;

Which was read, and, on motion,
Referred to the Committee on County Boundaries.

Mr. Rolston presented a remonstrance of attorneys and others of Johnson county against any change in the twenty-second judicial circuit;

Which was read, and, on motion,
Referred to the Committee on Judiciary.

Mr. Orockett presented a petition of citizens of Andrew and Nodaway counties, requesting the passage of a law to permit township organizations;

Which was read, and, on motion,
Referred to Committee on Township Organizations.

Mr. Gates presented a petition of the citizens of Jackson county, asking for a change of the present law governing common schools, and to amend it so that the board of directors shall not have power to levy more than one-half of one per cent. tax;

Which was read, and, on motion,
Referred to Committee on Education.

Mr. Shewalter presented a petition of the citizens of Lafayette county, praying for the abolition of the court of common pleas;

Which was read, and, on motion,
Referred to the Committee on Judiciary.

Mr. Pope presented a petition of tobacco merchants, asking for a revision of the State law in regard to the inspection of tobacco; (Which was read, and, on motion, Referred to Committee on Agriculture.

Mr. Edens offered the following resolution :

WHEREAS, As this the Twenty-sixth General Assembly is looked to with a great deal of anxiety by the people for a system of legislation directed to retrenchment and reform; therefore be it

Resolved, That the deliberations of this body be and the same are hereby limited to the consideration of the following subjects, when the same are properly reported: 1st. A new registration law. 2d. A revision of the State revenue law. 3d. A modification of the present rigorous, expensive and arbitrary school law. 4h. A new road law.

Therefore be it further resolved, That the committees to which these matters have been referred, be and they are hereby requested to report at the earliest practicable day, and that when these bills are reported, they be made the special order from day to day until they are disposed of;

Which was read.

Mr. Wielandy moved to lay the resolution on the table.

The ayes and noes being demanded, it was not agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Gentry, Alsup, Ballard, Barrett, Bohn, Breazeale, Brown of Howard, Bulkley, Buller, Claiborne, Crockett, Davis, Dent, Doak, Dolle, Fassen, Frost, Haas, Hackman, Harmon, Hooper, Kost, Lamson, Langston, Marlin, McAllister, McMillan, Moore of Stone, Mullings, Norris, O'Bannon of Pettis, Pope, Raney, Robinson, Rolston, Sharp, Smith, Steele, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan and Worden—45.

NOES—Messrs. Adams of Butler, Applegate, Auer, Barnes, Beltrami, Bennett, Borg, Bradshaw, Buckham, Burton, Bunch, Butler, Coleman, Collier, Dean, Dod, Edens, Edwards, Gates, George, Girdner, Gray, Hardin, Hickman, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Latshaw, Leach, Leeper, Maupin, Mabrey, Ming, Moore of Livingston, Mortell, Murray, Neal, Pauley, Randall, Richardson, Sanford, Schooley, Shewalter, Sloan, Stancil and Stone—51.

Absent—Messrs. Asher, Colcord and Dolman —3.

Absent with leave—Messrs. Abington, Bass, Bell, Bittinger, Bosbyshell, Brown of Monroe, Bunch, Burrows, Clark, Chilton, Cloud, Eubanks, Goodson, Hammett, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Murphy, Myers, Ray, Samuel, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Thomas, Turner, Van Roden, White of Texas, Williams of Audrain, and Mr. Speaker—35.

Sick—Messrs. Gratiot, O'Bannan of Dallas, and Newman—3.

Mr. Richardson offered the following amendment:

Strike out the word "limited" and insert the words "shall take precedent in their order;"

Which was accepted.

Mr. Hubbell offered the following amendment:

Amend by adding after the words "a new road law," the following: "and a township organization law;"

Which was accepted.

Mr. Pope offered the following substitute:

Resolved, That after this week no new bills affecting any general interest, or the present boundaries of counties or judicial circuits shall be received;

Which was read, and,

On motion of Mr. Buller,

Was laid on the table.

Mr. Claiborne presented a petition of the citizens of St. Louis asking for an appropriation to provide for the circulation of Mr. L. U. Reavis' work, "St. Louis the future great City of the World;"

Which was read, and, on motion,

Referred to Committee on Immigration, and 150 copies ordered printed.

Mr. McMillan offered the following resolution:

Resolved, That the Committee on Accounts be and are hereby instructed to allow to Samuel Wear, the contestor of the seat of Hon. D. K. Steele, the usual mileage and per diem allowed to members of this House to this date;

Which was read.

Mr. Stone offered the following amendment:

Amend by inserting "Joseph Pulitzer of the 5th district of St. Louis."

The amendment was ruled out of order.

The question recurring upon the adoption of the resolution,

The ayes and noes were demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Brown of Howard, Bulkley, Bullor, Burton, Butler, Claiborne, Colcord, Coleman, Collier, Crockett, Doak, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, Girdner, Gray, Haas, Hardin, Harmon, Hutt, Kitchen, Knott, Koch, Leeper, Maupin, Mabrey, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murray, Neal, Pope, Randall, Richardson, Robinson, Sanford, Shewalter, Sloan, Steele, Stone, Walker, Wielandy, Wight of Vernon and Williams of Morgan—59.

NOES—Messrs. Abbee, Alsop, Ballard, Bohn, Breazeale, Buckingham, Davis, Dent, Dod, Hackman, Hickman, Hooper, Hubbell, Kost, Lamson, Langston, Latshaw, Leach, Marlin, McAllister, Miller, Norris, O'Bannon of Pettis, Raney, Rolston, Sharp, Smith, Stancil, Thomas, Von Kochtitzky, Wilkes and Worden—32.

Absent—Mr. George—1.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Beltrami, Borg, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Dean, Eubanks, Goodson, Hammett, Howell, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McMillan, McPike, Mitchell, Murphy, Myers, Newman, Pauley, Ray, Samuel, Schooley, Scoville,

Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—43.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Mullings called up resolution paying mileage and per diem to Joseph Pulitzer, contestor in the case of Jos. Pulitzer against Wm. Bell.

The ayes and noes having been demanded, the resolution was adopted by the following vote :

AYES—Messrs. Adams of Gentry, Auer, Beltrami, Bennett, Bittinger, Bohn, Borg, Brown of Howard, Buckham, Bulkley, Butler, Claiborne, Colcord, Collier, Crockett, Dent, Dölle, Dolman, Edens, Edwards, Fassen, Frost, Girdner, Harmon, Hickman, Howell, Knott, Marlin, McAllister, McMillan, Moore of Livingston, Moore of Stone, Mortell, Mullings, Neal, O'Bannon of Pettis, Pauley, Pope, Randall, Rolston, Sharp, Shewalter, Sloan, Steele, Stone, Walker, Wielandy, Wight of Vernon and Williams of Morgan—49.

NOES—Messrs. Abbee, Adams of Butler, Alsup, Applegate, Ballard, Barnes, Barrett, Bradshaw, Breazeale, Buller, Burton, Coleman, Davis, Doak, Dod, Gates, George, Gray, Haas, Hackman, Hardin, Hooper, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Lashaw, Leach, Leeper, Maupin, Mabrey, Miller, Ming, Murray, Norris, Raney, Richardson, Robinson, Sanford, Schooley, Stancil, Thomas, Von Kochtitzky, Wilkes and Worden—48.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Clark, Cloud, Dean, Eubanks, Goodson, Hammett, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Murphy, Myers, Newman, Ray, Samuel, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—36.

Absent—Messrs. Dean and Smith—2.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Wielandy offered the following resolution :

Resolved, That the Public Printer be instructed to furnish the House of Representatives three hundred copies of the amended Constitution for the use of the members;

Which was read, and, on motion,

Referred to Committee on Printing with instruction to report the cost thereof.

Mr. Adams of Butler offered the following resolution :

Resolved, That during the remainder of this session the regular hour for the daily meeting of this House shall be 9 o'clock, A. M.;

Which was read.

Mr. Neal moved to lay the resolution on the table.

The ayes and nays having been demanded, it was not agreed to by the following vote :

AYES—Messrs. Beltrami, Bittinger, Breazeale, Buckham, Bulkley, Claiborne, Davis, Fassen, George, Haas, Hackman, Hooper, Hutt, Lamson, Langston, Latshaw, Moore of Livingston, Mullings, Neal, Rolston, Schooley, Sharp, Stone, Walker, Wilkes, Williams of Morgan and Worden—27.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Bennett, Bohn, Borg, Bradshaw, Brown of Howard, Buller, Burton, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, Girdner, Gratiot, Hardin, Harmon, Hickman, Howell, Hubbell, Kitchen, Knott, Koch, Kost, Leach, Leeper, Marlin, Marshall, Maupin, Mabrey, McAllister, McMillan, Miller, Ming, Moore of Stone, Mortell, Murray, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Richardson, Robinson, Sanford, Shewalter, Smith, Stancil, Steele, Thomas, Von Kochtitzky, Wielandy and Wight of Vernon—69.

Absent—None.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bosbyshell, Brown of Monroe, Bunch, Burrows, Butler, Chilton, Clark, Cloud, Colcord, Eubanks, Goodson, Hammett, Logan, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Murphy, Myers, Newman, Norris, Ray, Samuel, Scoville, Shafer, Shields, Sides, Sloan, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—39.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Edens offered the following amendment:

"Meet at 10 o'clock and adjourn at 4 o'clock without recess;"

Which was read, and on motion,

Laid on the table.

On motion of Mr. Colcord,

The resolution was laid on the table.

On motion, leave of absence was granted to Committee on Blind Asylum for three days.

Mr. Murray offered the following resolution:

Resolved, That when the Committees on Registration, on Roads and Highways, Ways and Means and Retrenchment and Reform, shall have introduced bills of a general nature, on the subjects of registration, assessing and collecting the revenue, and on roads and highways, that said bills shall take precedence of other business thereafter introduced, in the order in which said bills are introduced.

Which was read.

Mr. Thomas moved to lay the resolution on the table;

Pending of which,

On motion of Mr. Neal,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

The House resumed the consideration of

House bill No. 156,

Pending which, the House adjourned on yesterday.

The amendment of Mr. McMillan :

To strike out "sheep, hog or bee hive,"

Was taken up.

Mr. Latshaw offered the following amendment to the amendment:

"Strike out sheep and hog ;"

Which was read.

Mr. Hutt moved to lay the bill and amendments on the table ;

The ayes and nays having been demanded, it was agreed to by the following vote :

AYES—Messrs. Adams of Butler, Alsup, Applegate, Ballard, Barrett, Borg, Bradshaw, Breazeale, Buckham, Bulkley, Buller, Butler, Coleman, Collier, Dean, Dent, Doak, Dod, Dolle, Edens, Fassen, Gates, George, Girdner, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Latshaw, Leach, Leeper, Maupin, Mabrey, Miller, Ming, Mortell, Mullings, O'Bannon of Pettis, Pope, Raney, Randall, Richardson, Robinson, Rolston, Schooley, Sharp, Shewalter, Smith, Steele, Stone, Walker, Williams of Morgan and Worden—63.

NOES—Messrs. Abbee, Adams of Gentry, Barnes, Bennett, Brown of Howard, Burton, Crockett, Davis, Dolman, Edwards, Frost, Gray, Langston, McMillan, Moore of Stone, Murray, Neal, Pauley, Von Kochitzky and Wilkes—20.

Absent—Messrs. Auer, Beltrami, Bittinger, Bohn, Claiborne, Colcord, McAllister, Moore of Livingston, Sanford, Sloan, Stancil, Thomas, Wielandy and Wight of Vernon—14.

Absent with leave—Messrs. Abington, Asher, Bass, Bell, Bosbyshell, Brown of Monroe, Bunch, Burrows, Ohilton, Clark, Cloud, Eubanks, Goodson, Hammett, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, McPike, Mitchell, Murphy, Myers, Newman, Norris, Ray, Samuel, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—38.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

The following message from the Senate was received by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 1, entitled

An act to provide for appeals and writs of error in certain cases, and to provide for the safe custody of the records, papers and proceedings of the district courts of this State;

Also, that there has been introduced into the Senate and passed that body

Senate bill No. 70, entitled

An act to amend chapter two hundred and one, General Statutes, and Wagner's Statutes, chapter forty-two, article three;

In which the concurrence of the House is respectfully requested. Which was read.

Mr. O'Bannon of Pettis, of the Committee on Library, submitted the following report:

MR. SPEAKER: Your Committee on State Library have examined into the condition of the same, and find that the miscellaneous portion thereof is very limited, and that the appropriation of five hundred dollars per annum for the purchase of books therefor is wholly insufficient to provide the books needed of a historical, scientific, miscellaneous or general character, after the law books needed are procured; and that under the State Library law all purchases for the miscellaneous department thereof must be made upon the order of the Governor.

Your committee has therefore instructed me to report the following resolution, and recommend its passage;

Which was read.

Resolved, That the Committee on Ways and Means be requested to report a bill embracing an appropriation of five hundred dollars annually, to be expended by order of the Governor, under the State Library law, for books for the miscellaneous department of said library,

Was read, and, on motion,

Referred to Committee on Ways and Means.

Mr. Edwards, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

Senate substitute for House bill No. 63, entitled

An act to change the time of holding courts in the fifteenth judicial circuit;

Which was read.

Mr. Edwards, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature

Senate substitute for House bill No. 63, entitled

An act to change the time of holding courts in the fifteenth judicial circuit;

Which was read.

Mr. Knott called up his motion to reconsider the vote by which

House bill No. 72 was adopted, and moved to lay that motion on the table;

Which was agreed to.

Mr. Thomas moved to amend the title of bill 72 as follows:

An act to exempt certain property from the debts of the husband and to exempt certain property of the husband from debts of the wife;

Which was agreed to.

Mr. Pauley, of the Committee on Manufactures, submitted the following report:

MR. SPEAKER: Your Committee on Manufactures have had under consideration

House bill No. 88,

And direct me to report the following substitute for the same, and recommend that the substitute do pass;

Which was read.

House bill No. 88, entitled

An act to amend section two of chapter ninety-three of General Statutes of Missouri, in relation to merchants' license,

Was taken up.

The following amendment by way of substitute, as recommended by the committee,

Strike out all after the enacting clause, and insert as follows:

SECTION 1. Section two of chapter ninety-three of the General Statutes of 1865 (being section two of chapter ninety-five, Wagner's Statutes), is hereby amended so as to read as follows: "Section 2. No person or copartnership of persons shall deal as a merchant without a license first obtained according to law; and every person so offending shall forfeit to the State not less than fifty nor more than five thousand dollars for every such offense, to be recovered by indictment; *provided, however,* that no license shall be required of manufacturers for dealing in goods, wares or merchandise manufactured in this State, and by such manufacturers disposed of."

SEC. 2. This act shall take effect and be in force from and after its passage.

Was read the first time.

Mr. Knott offered the following amendment:

Amend line 7 of printed bill by inserting after the word "merchandise" the words "of their own manufacture;"

Which was read and adopted.

The substitute, as amended, was not agreed to by the following vote:

AYES—Messrs. Alsup, Auer, Barrett, Bell, Bittinger, Bohn, Buckley, Butler, Colcord, Crockett, Dolle, Edens, Frost, George, Gray, Hackman, Harmon, Hooper, Hubbell, Hutt, Kitchen, Knott, Koch, Latshaw, Leach, Martin of St. Louis, Maupin, Mabrey, McAllister, Ming, Mortell, Murray, O'Bannon of Pettis, Pauley, Pope, Raney, Shewalter, Sloan, Stancil, Stone, Thomas, Wielandy and Worden—43.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Barnes, Bass, Beltrami, Bennett, Bradshaw, Breazeale, Brown of Howard, Buckham, Buller, Burton, Coleman, Collier, Davis, Dent, Dod, Dolman, Edwards, Fassen, Gates, Girdner, Haas, Hardin, Hickman, Kost, Lamson, Langston, Leeper, Marlin, Martin of Cald-

well, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Randall, Richardson, Robinson, Rolston, Sanford, Schooley, Sharp, Smith, Steele, Von Kochtitzky, Walker, Wilkes and Williams of Morgan—52.

Absent—None.

Absent with leave—Messrs. Abington, Asher, Ballard, Borg Bosbyshell, Brown of Monroe, Bunch, Burrows, Chilton, Claiborne Olark, Cloud, Dean, Doak, Eubanks, Goodson, Hammett, Howell, Logan, Marshall, McPike, Mitchell, Murphy, Myers, Newman, Norris, O'Bannan of Dallas, Ray, Samuel, Scoville, Shafer, Shields, Sides, Sorrell, Squires, Turner, Van Roden, White of Texas, Wight of Vernon, Williams of Andrain and Mr. Speaker—41.

Sick—Mr. Gratiot—1.

The bill was read the second time and ordered engrossed.

Mr. Shewalter, of the Committee on Printing, submitted the following report:

MR. SPEAKER: Your committee to whom was referred a resolution instructing them to ascertain the cost of printing three hundred copies of the Constitution, as amended, beg leave to report that they have ascertained on investigation that the cost of the aforesaid printing will be one hundred and twenty dollars;

Which was read, and on motion,
Laid on the table.

Mr. Thomas offered the following resolution:

Resolved, That the Governor be notified that the vacancy in the office of Representative of Newton county, by the death of the Hon. Mr. Beeman, still exists, no constitutional election having been held;
Which was read and adopted.

On motion of Mr. Richardson.

House concurrent resolution No. 24, entitled

Concurrent resolution to allow an additional clerk in the State Auditor's office,

Was taken up, with the Senate amendments:

Amend by striking out the words "the revenue fund," and inserting in lieu thereof the words "the appropriation for civil officers;"

Amend by striking out "Auditor of State," and inserting "State Auditor;"

"Provided that the said clerk shall only receive pay until March 15, 1871;"

Which were read and concurred in.

Mr. Gray, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred

A resolution permitting the Engrossing Clerk to employ one assistant,

Recommend that the Engrossing Clerk be allowed to employ one assistant, under the same conditions as other assistant clerks are employed;

Which was read, and,
On motion of Mr. Dod,
Was indefinitely postponed.

• Mr. Pope, from the Committee on Benevolent and Scientific Associations, submitted the following report:

MR. SPEAKER: The Committee on Benevolent and Scientific Institutions have had under consideration

House bill No. 80,

And the substitute offered therefor,

And have unanimously directed the chairman to report back to the House the original bill, together with the accompanying substitute, and recommend that the substitute may pass;

Which was read.

House bill No. 80, entitled

An act to establish a State industrial school,

Was taken up, and, on motion,

Was laid over informally, together with substitute, and made special order for Wednesday, February 22, at 11 o'clock A. M., and 150 copies ordered printed.

Mr. Shewalter, from the Committee on Printing, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 85,

Beg leave to report that they have had the same under consideration, and, without being able to agree on said bill, report the following substitute, and recommend its passage;

Which was read.

House bill No. 85, entitled

An act to create the office of Public Printer, and to prescribe the duties thereof,

Was taken up.

The committee offered an amendment by way of substitute:

It was read, and, on motion,

Made the special order for Thursday, February 25, 1871, and 150 copies ordered printed.

The following communication was received from the Governor by his private secretary, Mr. Judson:

CITY OF JEFFERSON, February 14, 1871.

To the Honorable the Speaker of the House of Representatives:

I have this day approved the following bill from the House:

An act to change the time of holding courts in the fifteenth judicial circuit.

Respectfully,
B. GRATZ BROWN.

Which was read.

Mr. Bittinger gave notice that he would on to-morrow or some subsequent day during the session introduce

An act to establish a lunatic asylum in the northwest portion of the State, to be called "the Northwestern Missouri Lunatic Asylum."

Also, an act to relieve tax-payers from the penalty of ten per cent. imposed upon them for failing to pay their State and county taxes for the year 1870, at the time and place required.

Also, an act to amend an act entitled an act to amend an act entitled an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

Mr. Hardin introduced a bill entitled

An act to provide for the publication of the proceedings of county courts ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Applegate introduced a bill entitled

An act for the protection of merchants and the benefit of farmers ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Pope gave notice that he would on to-morrow or some subsequent day introduce a bill to amend section forty-five of chapter one hundred and sixty-nine, General Statutes, the same being section forty-five, act nine, chapter one hundred and ten, Wagner's Statutes.

Mr. Mullings introduced a bill entitled

An act to establish a probate and common pleas court in Dade county ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Local Bills.

Mr. Bennett introduced a bill entitled

An act to amend section eleven of chapter one hundred and twenty-three of Wagner's Statutes, being an act for the reorganization and support of schools, approved March 9, 1870 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Neal introduced a bill entitled

An act relating to recording deeds and indexing the same ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Kost gave notice that he would on to-morrow or some subsequent day introduce a bill amending chapter one hundred and thirty-six, General Statutes of Missouri, and making a judicial circuit out of every Senatorial district, except those in the city of St. Louis, with four terms of court a year in each county in circuits of four counties or less, and three terms in circuits of more than four counties ;

Also, a bill to repeal sections seventeen and twenty, and amend sections twenty-eight and twenty-nine of chapter two hundred and nine of the General Statutes of Missouri, regarding the writing of testimony in a criminal examination before a magistrate.

Mr. Moore of Stone, introduced a bill entitled
An act to establish a probate court in Stone county;
Which was read the first time the rules suspended, read the second time, and, on motion,
Referred to Committee on Local Bills.

Mr. Von Kochtitzky introduced a bill entitled
An act to provide for issuing of distress warrants against delinquent collector of county revenue;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Revenue.

Mr. Kost gave notice that he would on to-morrow or some subsequent day introduce a bill amending section eight, chapter one hundred and twenty-three of the General Statutes of Missouri, regarding the establishing of claims against the estate of deceased persons;

Also, a bill amending sections one and two, chapter eleven, and section twelve of chapter twelve of the General Statutes of Missouri, and section one of an act entitled "an act to amend section three, chapter eleven, and section seventy-six of chapter thirteen of the General Statutes of Missouri," approved January 30, 1868, regarding the assessment of taxes.

Mr. Wielandy introduced a bill entitled
An act confining certain powers to the citizens of the several cities and incorporated towns of this State;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Von Kochtitzky introduced a bill entitled
An act to amend an act entitled an act to aid the building of branch railroads in the State of Missouri, approved March 21, 1868;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Internal Improvements.

Mr. Walker introduced a bill entitled
An act to establish a probate court in the county of Bates;
Which was read the first time, the rules suspended, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Stone introduced a bill entitled
An act to for the relief of Thomas Allen;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Internal Improvements.

Mr. Worden gave notice that he would to morrow or some subsequent day introduce a bill to revise and amend an act entitled an act to incorporate the town of Harrisonville, approved March, 1857;

Also, a bill entitled an act to amend an act to establish a court of common pleas within and for Cass county, approved March 4, 1867.

Mr. Smith gave notice that he would on to-morrow or some subsequent day introduce bills, entitled as follows: 1st, an act to amend an act entitled "an act to incorporate the Sugar Free Grove Academy, in Clay county, Missouri," approved January 15, 1855;

Also, an act to provide a uniform registration of voters, and repealing all former acts relating thereto;

Also, an act to amend chapter eighteen, title eight of the General Statutes, entitled "of the Attorney General, circuit, assistant circuit and county attorneys;"

Also, an act changing the time of holding courts in the fifth judicial circuit, granting to the counties of Clay, Clinton and Platte in said circuit an additional term of said court, and to provide for the payment by such counties of an additional compensation to the judge of said court.

Mr. Stone introduced a bill, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lauds for the purpose of the erection of a public building in the city of St. Louis, for the use of the Custom House and other civil offices of the Government of the United States, and ceding jurisdiction over the same;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the St. Louis Delegation.

Mr. Dolman gave notice that he would introduce a bill

To incorporate the Chariton County National Bank, at Keytesville, Mo.

Mr. Martin of Caldwell, gave notice that he would to-morrow or some subsequent day introduce a bill to amend sections three and six of chapter ninety-three, General Statutes of Missouri and ninety-five of Wagner's Statutes in regard to merchants' license.

Mr. Williams of Morgan, gave notice that he would to-morrow or some subsequent day, introduce a bill

To perfect the plats of the original town of Versailles, in Morgan county, and Wyan and Golbraith's additional streets.

Mr. Stone introduced a bill, entitled

An act to confirm the title of the Cairo and Fulton railroad to Thomas Allen,

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Internal Improvements.

Mr. Wielandy introduced a bill entitled

An act to amend section twenty-one of an act entitled an act for the reorganization and support of public schools, and to revise and amend laws relating thereto, and repeal certain acts and parts of acts, approved March 19, 1870, being section twenty-one of chapter one hundred and twenty-three of Wagner's Statutes,

Which was read the first time, the rules suspended, read the second time, and on motion

Referred to the Committee on Education.

Mr. Randall introduced a bill entitled

An act to amend an act entitled an act to separate the office of sheriff and collector in the county of Buchanan, approved February 8, 1864,

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Leach introduced a bill entitled

An act to amend an act entitled an act to amend an act to incorporate the German school in Hermann, Mo., approved March 10, 1849, approved February 25, 1870;

Which was read the first time, the rules suspended, read the second time, and on motion

Referred to Committee on Education.

Mr. Wielandy introduced a bill entitled

An act to provide for the licensing of dogs and for the protection of sheep and other domestic animals;

Which was read the first time, the rules suspended, read the second time and on motion,

Referred to the Committee on Agriculture.

Mr. Robinson gave notice that he would to-morrow or some subsequent day introduce a bill to amend section one of

An act entitled an act to enlarge the jurisdiction of justices of the peace.

Also a bill in regard to executions.

Mr. Stancil gave notice that he would to-morrow or some subsequent day introduced a bill

To reduce the law incorporating the town of Gaywood, approved February 21, 1861, into one act and amend the same.

Also a bill to amend section 55 of chapter 102 of the General Statutes of the State of Missouri.

Mr. Edwards introduced a bill entitled

An act to repeal an act entitled an act to appropriate money for the payment of the State Entomologist, approved March 23, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

Mr. Gray gave notice that he would to-morrow or some subsequent day, introduce

A bill to amend chapter 19, of Wagner's Statutes, relating to bills of lading and warehouse receipts.

Mr. Buller introduced a bill entitled

An act to amend an act entitled an act to prevent the introduction into this State, of Texas, Mexican or Indian cattle, during certain seasons of the year, approved February 26, 1867;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

Mr. Buller introduced a bill entitled

An act to amend an act entitled an act to provide for the opening

and repairing of public roads and to repeal chapter 52 of the General Statutes of 1865, which is chapter 120 of Wagner's Statutes ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Roads and Highways.

Also a bill to amend chapter two hundred and one of title forty-five of the General Statutes of Missouri in relation to crimes and punishments.

Mr. Myers introduced a bill entitled

An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Buller introduced a bill entitled

An act to amend an act entitled an act to establish probate courts in the counties of Greene, Polk, Barry, Newton and Cedar, approved February 11, 1847 ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Local Bills.

Mr. Buller introduced a bill entitled

An act to amend section one of chapter one hundred and ninety-five of the General Statutes of Missouri concerning mechanics' liens, which is section one of article three, chapter eighty-eight of Wagner's Statutes ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Buller introduced a bill entitled

An act to amend section fifty-four of chapter one hundred and sixty of the General Statutes of Missouri in relation to executions ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Crockett introduced a bill entitled

An act to amend section two of chapter eighty of the General Statutes of Missouri, the same being section two, chapter seventy-one of Wagner's Statutes relating to fences and inclosures ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture.

Mr. Barrett introduced a bill entitled

An act concerning the appointment of notaries public for the State at large ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Buller introduced a bill entitled

An act to amend sections two, thirteen, fourteen, twenty-four and twenty-six of the General Statutes of Missouri concerning conveyances of real estate, the same being sections two, thirteen, fourteen and twenty-four of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr Buller introduced a bill entitled

An act to limit the powers of county courts and other municipal authorities in relation to subscription for the purpose of railroads;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Barrett gave notice that he would to-morrow or some subsequent day introduce

A bill to amend the charter of the town of Canton, and consolidate the several acts relating thereto.

Mr. Ming introduced a bill entitled

An act to amend section thirty-seven, chapter forty-one, article four of Wagner's Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Colcord introduced a bill entitled

An act to preserve the health of the inhabitants of St. Louis county by providing for the abatement of nuisances and regulating the traffic in the carcasses of dead animals within said county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Colcord introduced a bill entitled

An act to repeal an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the St. Louis Delegation.

Mr. Mortell introduced a bill entitled

An act to amend section twelve of an act entitled an act in regard to the establishment of roads in St. Louis county, approved February 15, 1864;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Shewalter introduced a bill entitled

An act to confer additional civil jurisdiction on the mayor of the city of Waverly;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Local Bills.

Mr. Collier gave notice that he would on to-morrow or some subsequent day introduce

A bill to repeal an act entitled an act to establish a probate court in Madison county, approved March 10, 1849.

Mr. McMillan introduced a bill entitled

An act to amend chapter one hundred and fifty-two of the Revised Statutes of 1865 entitled "of partition;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Dolle gave notice that he would to-morrow or some subsequent day introduce

A bill to amend sections fifteen and sixteen of chapter one hundred and thirty-six of the General Statutes of Missouri, being sections fifteen and thirty-eight of article four, chapter forty-one of Wagner's Statutes.

Mr. Auer introduced a bill entitled

An act to amend sections one and two of an act entitled an act to regulate the sale of tickets, the rate of fare to be charged and the taxes and licenses to be paid by street railroad companies in the city of St. Louis, approved March 3, 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Gates introduced a bill entitled

An act to authorize the trustees of the Presbyterian church at Lee Summit, in Jackson county, to sell and convey certain real estate;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Dent gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section one of an act entitled an act to amend section eight, chapter forty-one of General Statutes, 1865.

Mr. McMillan introduced a bill entitled

An act relating to appeals from judgments and orders of the county courts and courts having probate jurisdiction to the circuit court;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Knott gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act respecting county attorneys.

Mr. Schooley gave notice that he would to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to amend sections eleven fourteen and fifteen, chapter twenty-six of the General Statutes of 1865, relating to recorder of deeds.

Mr. Girdner introduced a bill entitled

An act to amend section twenty-four of chapter thirty-two of General Statutes, being section twenty-four, chapter fifty-six of Wagner's Statutes, relating to fees;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Edwards gave notice that he would on to-morrow or some subsequent day introduce

A bill to repeal an act entitled an act in relation to the publication of notices in judicial sales, approved March 24, 1866.

Mr. Auer gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend an act entitled an act to amend sections eleven fourteen and fifteen of chapter twenty-six of the General Statutes, being chapter one hundred and fifteen of Wagner's Statutes, relating to recorder of deeds.

Mr. Ming gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section thirty-five, chapter one hundred and twenty-one, title thirty-two of the General Statutes of Missouri of 1865, concerning the estates of deceased persons, approved February 27, 1868.

Mr. Girdner introduced a bill entitled

An act to amend section thirteen of chapter one hundred and forty-six of General Statutes, the same being section thirteen of chapter eighty, Wagner's Statutes of Missouri, relating to juries;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Breazeale gave notice that he would to-morrow or some subsequent day introduce

A bill to amend section twenty-three of chapter eleven of the General Statutes, relating to attachment.

Mr. Lamson gave notice that he would to-morrow or some future day introduce

A bill to establish a court of common pleas and defining its powers in the county of McDonald.

Mr. Bennett gave notice that he would to-morrow or some subsequent day introduce

A bill to legalize the acts of James M. Christian in digging up geological specimens from what is supposed to be an antiquated Indian graveyard in Perry county.

Also, an act to change the assessment law so as to require assessors, in making assessments, to visit the citizens of their respective counties at their residences to make assessments, and to abolish the State and county boards of equalization.

Mr. Mabrey introduced a bill entitled

An act to adjust and define the line between the counties of Butler and Ripley;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Concurrent resolution No. 25, entitled

Concurrent resolution providing for the sale of the executive mansion, and to provide for an appropriation for the use of the Governor in lieu of executive mansion,

Was taken up, read the second time, and,

Laid over informally.

Mr. Langston introduced a bill entitled

An act to amend an act entitled an act to incorporate the city of Springfield, and more fully define its powers, approved December 13, 1855, and the acts amendatory thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

On motion of Mr. George,

The House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 15, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain,

The journal of yesterday was being read, when,

On motion of Mr. Claiborne,

The further reading of the journal was dispensed with.

Mr. Wielandy rose to a question of privilege in regard to an advertisement in the *State Times* in reference to a lecture to be delivered by Miss A. E. Dickinson, stating that it was understood the hall was tendered her to deliver a lecture free of charge.

The House resumed the consideration of the resolution offered by Mr. Murray on yesterday.

By unanimous consent, it was withdrawn.

Mr. Claiborne presented the biennial report of the Home Mutual Fire and Marine Insurance Company ;

Which was read, and, on motion,
Laid on the table.

Mr. Stone offered the following resolution :

Resolved, That the Committee on Permanent Seat of Government be, and are hereby required to furnish to this House, written information by what authority they have granted Miss Dickinson the use of this hall on Thursday evening the 23d inst., for the purpose of delivering a lecture upon the subject of "Joan of Arc," at an admission fee of 50 cents ;

Which was read and adopted.

Mr. Bulkley presented a petition of the citizens of Ralls county, asking for the passage of a law to prevent the school directors from abusing the power vested in them ;

Which was read, and, on motion,
Referred to Committee on Education.

Mr. O'Bannon, of Pettis, presented a petition of the citizens of Pettis, remonstrating against the formation of a new county from any part of Pettis ;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Shafer presented a petition of the citizens of Shelby, asking for a more stringent enforcement of the law preventing the adulteration of spirituous liquors in this State ;

Which was read, and on motion,
Referred to the Committee on Criminal Jurisprudence.

Mr. Wielandy presented a petition of the citizens of Jefferson City, praying for the passage of a law that the labor of the convicts in the penitentiary, be confined to the factory and State work ;

Which was read, and on motion,
Referred to Committee on Penitentiary.

Mr. Kost introduced a joint resolution entitled

Joint resolution appointing a committee on apportionment ;
Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Constitutional Amendments.

Mr. Dent introduced a bill entitled

An act to amend section one of an act to amend section eight,

chapter forty-one of the General Statutes of 1865, approved March 10, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr. Breazeale introduced a bill entitled

An act to amend section fifty-two of chapter eleven of the General Statutes, concerning attachment;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary.

Mr. Brown of Howard, introduced a bill entitled

An act authorizing the removal of the settlements of the estate of David S. Stopleton, of the county of Cedar, to the county of Howard;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Gray introduced a bill entitled

An act to amend chapter two hundred and one (201) and title forty-five (45) of the General Statutes of Missouri, in relation to crimes and their punishments;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Thomas introduced a bill entitled

An act to amend sections twenty and twenty-one of chapter one hundred and fifty-one of the General Statutes of Missouri, being sections twenty and twenty-one of chapter fifty of Wagner's Statutes, in relation to ejectment;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Kost introduced a bill entitled

An act to repeal sections seventeen and twenty and amend sections twenty-eight and twenty-nine of chapter two hundred and nine of the General Statutes of Missouri, regarding the writing of testimony on a criminal examination before a magistrate.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Scoville introduced a bill entitled

An act to amend section five of an act entitled an act to regulate the payment of outstanding Union Military Bonds and the interest due thereon, approved February 15, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Gray introduced a bill entitled
An act to amend chapter nineteen (19), Wagner's Statutes, relating to bills of lading and warehouse receipts;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Criminal Jurisprudence.

Mr. Thomas introduced a bill entitled
An act in relation to ejectment;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Martin of Caldwell, introduced a bill, entitled
An act to amend sections three and six of chapter ninety-three, General Statutes of Missouri, chapter ninety-five of Wagner's Statutes, in regard to merchants' license;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to the Committee on Ways and Means.

Mr. Schooley introduced a bill entitled
An act to amend an act entitled an act to amend sections eleven, fourteen and fifteen, chapter twenty-six of the General Statutes of 1865, relating to recorders of deeds, approved March 25, 1870, the same being chapter one hundred and fifteen of Wagner's Statutes;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Judiciary.

Mr. Robinson introduced a bill entitled
An act in regard to levy of execution;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Judiciary.

Mr. Robinson introduced a bill entitled
An act to amend section one of an act entitled an act to enlarge the jurisdiction of justices of the peace, approved March 21, 1868;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Justices of the Peace.

Mr. Smith introduced a bill entitled
An act to provide a uniform registration of voters and repealing all former acts relating thereto;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Election.

Mr. Olaiborne introduced the following bill entitled
An act to refund to the St. Vincent's free school, of St. Louis, two hundred and fifty-nine dollars and thirty cents;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Claims.

Mr. Worden introduced the following bill, entitled

An act to revise and amend an act entitled an act to incorporate the town of Harrisonville, approved March 4, 1857, and all the acts amendatory thereof and supplementary thereto, and to reduce the same into one act;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Worden introduced the following bill, entitled

An act to amend an act entitled an act to establish a common pleas court within and for the county of Cass, approved March 4, 1867;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Williams of Morgan, introduced the following bill, entitled

An act to perfect the plat of the original town of Versailles, in Morgan county, and Wyan and Galbraith's addition thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Pope introduced the following bill, entitled

An act to amend section forty-five, chapter one hundred and sixty-nine of the General Statutes of Missouri, the same being section forty-five of article nine, chapter one hundred and ten, Wagner's Statutes, and the amendment thereto, approved February 6, 1868, page 86, acts of 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary

Mr. Kost introduced the following bill, entitled

An act to amend chapter one hundred and thirty-six, General Statutes, Missouri (article four, chapter forty-one, Wagner's Statutes), in relation to circuit courts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Shafer introduced the following bill, entitled

An act to amend section six of chapter ninety-three of the General Statutes, the same being section six of chapter ninety-five of Wagner's Statutes, relating to merchants' licenses;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Claiborne introduced the following bill, entitled

An act to amend an act approved March 10, 1869, entitled an act to amend an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Frost introduced the following concurrent resolution entitled
Concurrent resolution asking Congress to make appropriation for
the survey of the navigation of the Gasconade river ;

Which was read the first time, the rules suspended, read the second time and, on motion,

Ordered to be engrossed for a third reading.

Mr. Smith introduced the following bill, entitled

An act to amend chapter eighteen, title eight of General Statutes,
"of the Attorney General, circuit, assistant circuit and county attorneys ;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Kost introduced the following bill, entitled

An act to amend section eight, chapter one hundred and twenty-three, General Statutes, Missouri (article four, section eight, chapter two, Wagner's Statutes, concerning the establishing of claims against the estates of deceased persons ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Shields introduced the following bill, entitled

An act to amend the charter and to establish the boundaries of the city of Hannibal, Missouri ;

Which was read the first time the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Dolman introduced the following bill, entitled

An act to incorporate the Chariton county National Bank, at Keyesville, Missouri ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr. Moore of Livingston introduced the following bill, entitled

An act to change the twelfth and seventeenth judicial circuits, and to organize the twenty-seventh judicial circuit ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Bohn introduced a bill entitled

An act in relation to title by tax deed ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Newman introduced a bill entitled

An act to provide for the better education of the women of the State ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. Buller introduced a bill entitled
An act for the relief of Thomas S. Hackelman and John M. Smith;
Which was read the first time, the rules suspended, read the second time, and
Referred to Committee on State Militia.

Mr. Lamson introduced the following bill, entitled
An act to abolish the probate court of McDonald county, and to create a court of common pleas therein, and define the powers and jurisdiction thereof, and appointing a county attorney;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Judiciary.

Mr. Dolle introduced the following bill, entitled
An act to amend sections fifteen and thirty six of chapter one hundred and thirty-six of the General Statutes of the State of Missouri, being sections fifteen and thirty-eight of article four, chapter forty-one of Wagner's Statutes of Missouri;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Knott introduced the following bill, entitled
An act respecting county attorneys;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Criminal Jurisprudence.

Mr. O'Bannon of Pettis introduced the following bill, entitled
An act to amend article three, chapter two, Wagner's Statutes;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. McMillan introduced a bill entitled
An act to amend section sixteen of chapter twenty-four of the General Statutes of Missouri, in relation to deputy clerks;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

The hour for the special order having arrived, being the consideration of

House bill No. 29, entitled
An act to provide for a uniform system of assessing and collecting taxes on railroads,
Was taken up.

Mr. Shafer moved that the House go into Committee of the Whole for the consideration of House bill No. 29;

Which was agreed to.

Mr. Bosbyshell offered the following amendment:

Amend section 1 by inserting after the words "constructed in this State," in the second line of printed bill, the words "and all property, real, personal or mixed, owned by any railroad company or corporation in this State;

Which was read and adopted.

Mr. Pope offered the following amendment:

Amend by inserting in the third line of printed bill, after the word "purposes," the words "to the extent and;"

Which was read and adopted.

Mr. Applegate moved that the committee rise;

Which was agreed to.

Speaker Wilson took the chair, and called the House to order.

Mr. Mullings, the chairman of the Committee of the Whole, reported that the committee had not disposed of its business at the time it rose.

On motion of Mr. Butler,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Edwards, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

Substitute for House bill No. 1, entitled

An act to provide for appeals and writs of error in certain cases, and to provide for the safe custody of the records, papers and proceedings of the district courts of this State;

Also, House concurrent resolution No. 24, entitled

Concurrent resolution to allow an additional clerk in the State Auditor's office;

Which was read.

Mr. Edwards, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature

Substitute for House bill No. 1, entitled

An act to provide for appeals and writs of error in certain cases, and to provide for the safe custody of records, papers and proceedings of the district courts of this State;

Also, House concurrent resolution No. 24, entitled
Concurrent resolution to allow an additional clerk in the State Auditor's office;
Which was read.

Mr. Scoville, of the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred the resolution of Mr. Stone of St. Louis, inquiring by what authority they granted the use of this hall on Thursday evening the 23d inst., to Miss Dickinson, beg leave to report that the subject has never been discussed by the committee, Miss Dickinson never having asked the use of the hall from them. Your committee further state that the announcement in the *State Times* of this morning was not authorized by them, nor any of them;

Which was read.

The following message was received from the Senate by its Assistant Secretary, Mr. Griffin:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed,
House bill No. 89, entitled

An act to appoint commissioners, and authorize them to receive and expend certain monies heretofore appropriated for the improvement of Current river;

Also, that there has been introduced into and passed the Senate Senate bill No. 122, entitled

An act to change the time of holding courts in the tenth judicial circuit.

In which the concurrence of the House is respectfully requested.
Which was read.

On motion of Mr. Leeper,
The House went into a Committee of the Whole, and resumed the consideration of

House bill No. 29,

Mr. Kost offered the following amendment to section one:

Amend the first section, as amended, by inserting the word "other," between the words "all" and "property," in the first amendment as offered by Mr. Bosbyshell;

Which was read and adopted.

The section, as amended, was then adopted.

Mr. Neal offered the following amendment:

Amend section two, line one, in printed bill, by striking out the word "February," and insert the word "April,"

Which was read and adopted.

Mr. Frost offered the following amendment:

Amend by adding, in line eight, after the word "thereof," "in each county," ending at "and the;"

Which was read and adopted.

Mr. Neal offered the following amendment:

Amend section three by adding, after the word "railroad," in first line of printed bill, the words "or other property of any such company or other property hereinbefore specified;"

Which was read and adopted.

The section, as amended, was then adopted.

Mr. Pope offered the following amendment:

Amend section four by striking out the word "section," in the first line, and insert in lieu thereof the words "sections;"

Which was read and adopted.

Mr. Bosbyshell offered the following amendment:

Amend section four, line six, printed bill, by striking out the word "through," and insert in said line, after the word "county," the following words: "city or incorporated town in;"

Which was read and adopted.

Mr. Frost offered the following amendment:

Strike out the words "first and second" and insert "foregoing" before the word "section" in second line;

Which was read and adopted.

The section, as amended, was then adopted.

Mr. Hooper offered the following substitute:

Amend section eight by striking out the first two lines of the printed bill and inserting in lieu thereof the following:

In order to local taxation the boards shall apportion the value of all lands, workshops, depots and other buildings belonging to each railroad company to the counties respectively in which such lands, workshops, depots and other buildings are situated, and the aggregate value of all other property belonging to each railroad company shall be apportioned to each county through which such road shall be located according to the ratio which the number of miles of such railroad completed in such county, city or incorporated town shall bear to the whole length of such railroad;

Which was read.

Mr. McMillan offered the following amendment to the substitute:

Amend by adding after the word "county," in the second line, the words "city or incorporated town;" and by striking out the word "through" and inserting the word "in" in lieu thereof;

Which was read and adopted.

The substitute, as amended, was then adopted.

Mr. Marshall moved that the Committee of the Whole do now rise;

Which was agreed to.

Speaker Wilson in the chair.

Mr. Mullings, chairman of the Committee of the Whole, reported progress but no definite action, and asked leave to sit again to-morrow morning at 11 o'clock;

Which was granted.

On motion of Mr. Marshall,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, FEBRUARY, 16, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,

On motion of Mr. Bosbyshell,

The further reading of the journal was dispensed with.

Mr. Frost introduced a bill entitled

An act to provide for a bureau of geology and mines to complete the geological survey of the State ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Mines and Mining, and 150 copies ordered printed.

On motion of Mr. Frost,

House bill No. 182, entitled

An act to amend an act entitled an act to establish a mining, metallurgical and geological bureau for the State of Missouri, and to provide for the support and management, and to authorize a geological survey, approved March 24, 1870 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Mines and Mining.

Mr. Kost introduced a bill entitled .

An act to amend section two of chapter eleven, and section twelve, chapter twelve, of the General Statutes of Missouri, and section one of an act entitled an act to amend section three, chapter eleven, and section seventy-six, chapter thirteen, of the General Statutes of Missouri, approved January 30, 1868, relating to the assessment of taxes ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Mitchell introduced a bill entitled

An act to amend an act, approved March 19, 1870, entitled an act to amend an act entitled an act to incorporate the city of Lexington, approved March 8, 1845, and the acts amendatory thereto ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Breazeale introduced a bill entitled

An act providing for the payment of Union Military Bonds ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Williams of Morgan introduced a bill entitled

An act to establish the county of Hart, and to change the boundary lines of Cass, Jackson, Lafayette, Johnson and Henry counties therefor;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Mr. Thomas introduced a bill entitled

An act to amend sections thirteen and fifteen of chapter fifty-three of the General Statutes of Missouri in relation to bridges;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Roads and Highways.

Mr. Marshall introduced a bill entitled

An act to amend an act entitled an act to grant the right of way to the Iowa and Missouri State Line Railroad Company, approved January 4, 1860;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Adams of Butler introduced a bill entitled

An act to relieve all lands that have been forfeited to the State of Missouri for the non-payment of taxes for the years 1861, 1862, 1863, 1864, 1865, 1866, 1867 and 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Pope introduced a bill entitled

An act to amend an act approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Borg introduced a bill entitled

An act to amend section six of an act to incorporate the German Protestant Orphan Home, approved March 23, 1860;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis delegation.

Mr. Sorrell introduced a bill entitled

An act to amend section twenty-two of chapter ninety-three of the General Statutes of Missouri, entitled of merchants and their licenses;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Stancil introduced a bill entitled

An act to reduce the several acts and parts of acts incorporating the town of Gayoso, approved February 21, 1861, into one act, and amend the same;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Edwards from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 73, entitled

An act to appoint commissioners and authorize them to receive and expend certain moneys heretofore appropriated for the improvement of Current river;

Which was read.

Mr. Edwards, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature:

House bill No 89, entitled

An act to appoint commissioners and authorize them to receive and expend certain moneys heretofore appropriated for the improvement of Current river;

Which was read.

Mr. O'Bannon of Pettis, gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to amend an act entitled an act amendatory and explanatory of the several acts to incorporate the city of Sedalia, in Pettis county, Missouri, including all amendments heretofore made as well as those now made, approved February 20, 1870.

Mr. Smith introduced a bill entitled

An act to repeal sections five and six of an act entitled an act to incorporate the Sugar Tree Grove Academy in Clay county, Missouri, approved January 15, 1855;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Pope introduced a bill entitled

An act to establish a board of guardians for the supervision of public, charitable, reformatory and penal institutions and prescribing its duties,

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Benevolent and Scientific Institutions.

Mr. Thomas offered the following resolution:

WHEREAS, Much valuable time of this House has been spent in the discussion of resolutions relative to the appointment of clerks

for the House and for committees, and what pay such clerks should receive; and,

WHEREAS, The amount that members shall receive for stationary and postage stamps is not prescribed by law, but is left largely to the decision of each Legislature, causing a useless waste of time at great expense to the State in discussing and determining it; now, therefore,

Resolved, That the Committee on Retrenchment and Reform be and they are hereby instructed to report to this House a bill, as early as practicable, prescribing the number and pay of the clerk, assistant clerks and other officers which the House may require; also, the number and pay of the requisite number of pages; and also the amount each member of this House shall receive for stationery, including postage, which shall in no event be changed, except by law;

Which was read.

Mr. Shafer moved to lay the resolution on the table;

Which was not agreed to.

The resolution was adopted.

Mr. Neal introduced a concurrent resolution, entitled

Concurrent resolution fixing the day of adjournment;

Which was read the first time, the rules suspended, read the second time, and,

On motion of Mr. Shafer,

Was laid on the table by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Auer, Barnes, Barrett, Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Bunch, Burton, Butler, Claiborne, Cloud, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Haas, Hackman, Howell, Hubbell, Kitchen, Knott, Koch, Latshaw, Leach, Leeper, Marlin, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Randall, Ray, Rolston, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Smith, Sorrell, Stancil, Stone, Squires, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, and Mr. Speaker—87.

NOES—Messrs. Adams of Butler, Alsup, Asher, Bennett, Breazeale, Buckham, Fassen, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Marshall, Martin of Caldwell, Miller, Mullings, Neal, Pope, Raney, Robinson, Scoville, Steele, Thomas, Williams of Morgan, and Worden—26.

Absent with leave—Messrs. Ballard, Burrows, Chilton, Clark, Eubanks, Goodson, Gray, Hammett, Hardin, Logan, Martin of St. Louis, Richardson, Sides, Sloan, Wielandy, White of Texas, Bittering and Bradshaw—18.

Absent—Messrs. Colcord, Dean, Dolman, and Norris—4.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

On motion, leave of absence was granted Messrs. Wielandy, and Clark, for two days.

Mr. Mullings gave notice that he would to-morrow or some subsequent day move to amend the rules of the House by striking out section eleven, article five.

Mr. Collier introduced a bill entitled

An act to repeal an act entitled an act to establish a probate court in Madison county ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Adams of Butler, presented a memorial of the officers of the Cairo and Fulton railroad company of Missouri ;

Which was read, and, on motion,

Referred to the Committee on Judiciary, and 150 copies ordered printed.

Mr. Davis presented a petition of the citizens of Pulaski, Laclede, Camden and Miller counties, asking for formation of Au Glaize county out of a portion of these counties ;

Which was read, and, on motion,

Referred to Committee on County Boundaries.

Mr. Barrett introduced a bill entitled

An act to amend the charter of the town of Canton, and consolidate the several acts relating thereto ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Bittinger introduced a bill entitled

An act to relieve tax-payers from the penalty of ten per cent. imposed upon them for failing to pay their State and county taxes for the year 1870, at the time and place required ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Squires presented a petition of the citizens of Henry county, remonstrating against any division of said county for any formation of new counties ;

Which was read, and, on motion,

Referred to the Committee on County Boundaries.

Mr. Worden presented a petition of the citizens of Cass county, praying for a law to permit township organization ;

Which was read, and, on motion,

Referred to Committee on Township Organization.

Mr. Frost presented a remonstrance of citizens of Phelps county, remonstrating against the memorial of the county court to authorize them to borrow money ;

Which was read and on motion,

Referred to Committee on Judiciary.

Mr. Latshaw introduced a concurrent resolution entitled
Concurrent resolution requiring the State Auditor to draw his
warrant;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

The following communication of the State Auditor was received:

To the Honorable the General Assembly of the State of Missouri:

In accordance with sections thirty-one, chapter one hundred and thirty-seven, Wagner's Statutes, at the request of Rees J. Lewis, I hereby certify that upon the 23d day of December, 1870, the following account was forwarded to me for allowance, viz:

State of Missouri to Rees J. Lewis:

To services as prosecuting attorney for the Kansas City Criminal Court from the 24th day of June, A. D. 1865, to the 28th day of July, 1869, inclusive, being for the term of four years, one month and three days, as follows:

Four years' salary at \$400 per year.....	\$1,600 00
One months' service.....	33 33
Three days.....	3 33
	<hr/>
	\$1,636 66

The said amount was accompanied by a certificate in due form from J. W. Jenkins, judge of said court, that said Rees J. Lewis was the prosecuting attorney of said court during the time charged in said account. Upon auditing the said account I allowed upon the same, and issued my warrant on the Treasurer for \$330 43, being the salary due said Lewis as prosecuting attorney of said Kansas City Criminal Court for the quarter ending December 31, 1868, and the two quarters of the year 1869, ending on the 30th of June, 1869, and for the 28th day of July, 1869; and I refused to allow the remainder of said account, being the salary from June, 24, 1865, to September 30, 1868, amounting to \$1,306 23, for the following reasons: By section three (3) of chapter (2), Wagner's Statutes, the salaries of all civil officers are made payable at the end of each quarter. By section twenty-four, chapter one hundred and thirty-seven of Wagner's Statutes, every claim is required to be presented, written two years from the time it accrues, and not afterward. The claim for salary of said Lewis from June 24, 1868, to September 30, 1868, was all due and payable on said 30th of September, 1868, and which was more than two years before the claim was presented, and it was consequently barred.

In witness whereof I have hereto set my hand and affixed my official seal, at office in Jefferson City, this 15th day of December, 1871.

DAN'L M. DRAPER, *State Auditor.*

By P. DRAPER, *Chief Clerk.*

Which was read, and, on motion,
Referred to Committee on Claims.

Mr. Burton of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respect-

fully report that they have carefully examined and find correctly engrossed

Substitute for House bill No. 88,

An act to amend section two of chapter ninety-three of the General Statutes of 1865, being section two of chapter ninety-five of Wagner's Statutes;

Which was read.

Mr. Dent offered the following resolution:

Resolved, That the Doorkeeper be required to prohibit the distribution of any newspapers among the members of this House between the hours of ten o'clock, A. M., and four o'clock, P. M., so that the legitimate business of the General Assembly may be attended to during the hours intended for that purpose;

Which was read.

Pending which, the hour for the regular order arrived.

Mr. Mullings moved a suspension of the rules, that the Committee on Local Bills might make a report;

Which was agreed to.

Mr. Bell, of the Committee on Local Bills submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 13, entitled

An act to amend an act to establish a probate and common pleas court in the county of Greene, and approved November 23, 1855,

Have had the same under consideration, and beg leave to report that after careful consideration thereof, have prepared and submit herewith a substitute therefor, and would respectfully recommend that the substitute do pass;

Which was read.

House bill No. 13, entitled

An act to amend an act to establish a probate and common pleas court in Greene county, approved March 23, 1855,

Was taken up,

Together with an amendment by way of substitute, as recommended by the committee.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Haas, Hackman, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Lashaw, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Smith, Sorrell, Stancil, Steele,

Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—114.

NOES—None.

Absent—Messrs. Bunch, Coleman, Dolman, Sanford and Wielandy—5.

Absent with leave—Messrs. Ballard, Burrows, Chilton, Clark, Dean, Eubanks, Goodson, Gray, Hammett, Hardin, Logan, Martin of St. Louis, Norris, Sides, Sloan and White of Texas—16.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Mullings moved to reconsider the vote by which the bill passed.

Mr. Mullings moved to lay his motion to reconsider on the table ; Which was agreed to.

Mr. Shafer moved that the House again go into Committee of the Whole, for the further consideration of House bill No. 29 ; Which was agreed to.

Mr. Mullings in the chair.

Mr. Randall moved that the committee rise. Which was agreed to.

Mr. Frost, Speaker *pro tem.*, took the chair and called the House to order.

Mr. Mullings, chairman of the Committee of the Whole, reported progress, but arrived at no definite action, and asks leave to sit again. Leave was granted.

On motion of Mr. Hackman,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Assistant Secretary, Mr. Griffin :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body :

Senate concurrent resolution No. 23, entitled

Concurrent resolution to adopt the report of the committee to settle with the State Auditor and Treasurer, and for other purposes ;

Also, Senate bill No. 13, entitled

An act in relation to courts ;

In which the concurrence of the House is respectfully requested ;

Which was read.

On motion of Mr. Knott,

The House went into a Committee of the Whole for the further consideration of

House bill No. 29.

Mr. Mullings in the chair.

Mr. Mullings, chairman of the Committee of the Whole, stated that the business before the committee had been transacted, and that he would vacate the chair, and the committee should rise.

Speaker Wilson took the chair and called the House to order.

Mr. Mullings, the chairman of the Committee of the Whole, made the following report :

MR. SPEAKER: The Committee of the Whole, having had under consideration

House bill No. 29,

Have instructed me to report the bill back to the House with the accompanying amendments, and recommend its passage.

H. G. MULLINGS, *Chairman.*

Which was read.

House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads,

Was taken up.

The following amendments as recommended by the committee:

Amend section 1, by inserting after the words "constructed in this State," in the second line of printed bill, the words "and all other property, real, personal or mixed, owned by any railroad company or corporation in this State."

Amend by inserting in the third line of printed bill after the word "purposes," the words "to the extent and."

Amend the first section as amended, by inserting the word "other"

between the words "all" and "property" in the first amendment, as offered by the gentleman from St. Louis, Mr. Bosbyshell.

Amend by adding in line eight after the word "thereof," "in each county," ending at "and the."

Amend by adding after the word "railroad," in first line of printed bill, the words "or other property of any such company heretofore specified."

Amend section two, line one, printed bill, by striking out the word "February," and insert the word "April."

Amend section four by striking out the word "section," in the first line, and insert in lieu thereof the word "sections."

Amend section four, line six printed bill, by striking out the word "through," and insert in said line after the word "county," the following words "city or incorporated town in."

Strike out the words "first and second," and insert "foregoing," before the word "section" in second line.

Amend section eight, by striking out the first two lines of the printed bill, and inserting in lieu thereof the following:

"In order to local taxation, the board shall apportion the value of all lands, workshops, depots and other buildings belonging to each railroad company, to the counties respectively in which such lands, workshops, depots and other buildings are situate; and the aggregate value of all other property belonging to each railroad company, shall be apportioned to each county in which such road shall be located, according to the ratio which the number of miles of such railroad completed in such county shall bear to the whole length of such railroad.

Amend by adding after the word "county" in the second line, the words "city or incorporated town." And by striking out the word "through," and inserting the word "in."

Amend section ten, by adding in third line after the word "received," "for compensation \$5 00 per day for the time actually employed," and ending at words "to be paid."

Strike out and insert:

Section 12. The State Auditor shall in like manner certify the action of said board had under the provisions of section eight of this act, to the clerks of the county courts of the proper counties and to the secretaries of the several railroad companies, and thereupon the several county courts shall levy for all county purposes on such proportionate value as certified by the State Auditor, such taxes as may be authorized by law, at the same time and at the same rate as may be levied on other property.

Amend section fourteen, by striking out the words "the county clerk," after the word "act" in the second line, and inserting in lieu thereof the words "the clerk of the county court." And striking out the words "county clerk" in the sixth line, and inserting in lieu thereof the words "clerk of the county court."

Amend section eighteen in lines five and seven, by striking out "10," and inserting "two and a half."

Amend section eighteen by striking out after the word "prosecuted" in the ninth line, the following to wit: "In the name of the State."

Amend section eighteen by striking out all after the words "State Auditor," in the ninth line, and insert in lieu thereof the following: "To cause to be prosecuted, in the name of the State, all suits necessary to the recovery of such taxes and penalties."

Amend section nineteen, lines four and six, by striking out "10," and inserting "two and a half."

Amend by striking out section twenty and insert the following:

Sec. 20. The State and county shall have a lien upon all railroads of such corporations, and their appurtenances and stock thereon, for all penalties, taxes and dues which may accrue to the State and county from such corporations; which lien of the State and county shall have precedence of all demands, judgments or decrees against said corporation, and the citizens of the State and county shall have a lien upon all personal property of said corporation to the amount of the penalties, taxes and dues found to be due or owing by such company or corporation for all debts originally contracted within this State, which, after the said lien of the State and county, shall take precedence of all other debts, demands, judgments or decrees, liens or mortgages against such corporations;

Amend by adding the word "county" after the word "State;";

Amend by inserting the following section:

Sec. 21. This act shall not avoid or annul the provisions of section five of an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868, or of an act amendatory thereof, approved March 24, 1870;

Sec. 22. This act shall take effect and be in force from and after its passage;

Were read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Barnes, Barrett, Bass, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Beltrami, Borg, Bunch, Burton, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dolle, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latashaw, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, McAlister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Newiman, Norris, O'Bannon of Pettis, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Smith, Sorrell, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—99.

NOES—Messrs. Applegate, Bennett, Bosbyshell, Buller, Dod and Myers—6.

Absent—Messrs. Bohn, Butler, Claiborne, Coleman, Dean, Dolman, Edens, Kitchen, Leach, Mabrey, McMillan, Neal, and Shewalter—13.

Absent with leave—Messrs. Ballard, Bell, Burrows, Chilton, Clark, Eubanks, Gray, Hammett, Hardin, Logan, Martin of St. Louis, O'Bannon of Dallas, Pauley, Sides, Sloan, Stancil, Wielandy and White of Texas—18.

Sick—Mr. Gratiot—1.

Mr. Brown of Howard moved to reconsider the vote by which the bill passed;

Mr. Brown of Howard moved to lay his motion to reconsider on the table ;

Which was agreed to.

Mr. Samuel, by leave, called up

Senate bill No. 48, entitled

An act to regulate and provide for the inspection of tobacco ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture and 150 copies ordered printed.

Mr. Sorrell, from the Committee on Permanent Seat of Government, submitted the following report :

MR. SPEAKER: The Committee on Permanent Seat of Government have granted the use of the Hall of Representatives to Dr. Thomas Rambeaut, President of Wm. Jewell College, to deliver a free lecture on the subject of Education, Friday evening, February 17th ;

Which was read and approved.

The following message was received from the Senate by its Assistant Secretary, Mr. Griffin :

SENATE CHAMBER,
City of Jefferson, February 16, 1871.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following entitled concurrent resolution has been introduced into and passed the Senate :

Senate concurrent resolution No. 5, entitled

Concurrent resolution requesting general amnesty ;

In which the concurrence of the House is respectfully requested ;

Which was read.

On motion of Mr. Shafer,

The House adjourned until to-morrow morning, ten o'clock.

FRIDAY, FEBRUARY 17, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Hackman,
The further reading of the journal was dispensed with.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following bill has been introduced into and passed that body

Senate bill No. 96, entitled

An act to amend an act entitled an act to locate and dispose of the Congressional land grant of July 2, 1862, to endow, support and maintain schools of agriculture and the mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes in the several pursuits and profession of life, approved February 24, 1870;

In which the concurrence of the House is respectfully requested.
Which was read.

Mr. Frost, by leave, called up

Senate bill No. 96, entitled

An act to amend an act entitled an act to locate and dispose of the Congressional land grant of July 2, 1862, to endow, support and maintain schools of agriculture and the mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes,

Was taken up, read the first time, the rules suspended, read the second time and, on motion,

Referred to Committee on Mines and Mining.

Mr. Latshaw asked to be excused from serving as a member on the Committee on Insurance.

He was accordingly excused.

Mr. Knott offered the following resolution :

Resolved, That the committee clerks now in the employ of the several committees of the House, shall not hereafter be for the exclusive use of any particular committee or committees, but shall be considered and known as the "committee clerks of the House," and to be under the control of the Chief Clerk of the House, and to be by him assigned, upon application of chairmen of committees, to the use of such committees as may from time to time need clerical assistance ;

Which was read and adopted.

The House resumed the consideration of the resolution offered by Mr. Dent on yesterday, forbidding the distribution of newspapers between the hours of 10 to 12, A. M., and from 2 to 4, P. M.,

Was taken up and adopted.

Mr. Buller offered the following resolution :

Resolved, That whenever any bill of a general character is reported to the House as having been introduced into and passed the Senate, that 150 copies thereof shall be printed for the use of the House, unless otherwise ordered, and that this be construed as applying to all such bills now on the Speaker's table ;

Which was read and,

On motion of Mr. Leeper,
Laid on the table.

Mr. Neal offered the following resolution:

WHEREAS, Section seven of chapter two hundred and twenty-one of the General Statutes, requires the Board of Inspectors of the Penitentiary shall, at each biennial session of the General Assembly, make thereto, in writing, a report of the government, discipline and transactions of the Penitentiary during the two preceding years; and,

WHEREAS, It is understood that the Board of Inspectors have ready a report of the management of the Penitentiary for the last two years; therefore,

Resolved, That said board be requested to transmit said report to this House at once, if said report be ready;

Which was read and adopted.

Mr. Rolston presented a petition of citizens of Johnson, Lafayette, Cass and Henry, favoring the formation of the county of Hart;

Which was read and, on motion,

Referred to Committee on County Boundaries.

Mr. Martin of Caldwell presented a petition of the citizens of Caldwell county, asking for the passage of a law to prevent swine from running at large, and to award exemplary damages to those who may be injured by the running at large of such swine;

Which was read and, on motion,

Referred to Committee on Agriculture.

Mr. Williams of Morgan presented a petition of the citizens of Morgan, asking for the formation of the county of Hart.

Mr. Dod introduced a bill entitled

An act to amend chapter twelve, General Statutes, entitled of assessors and the assessment of property, by adding a certain section thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Brown of Howard introduced a concurrent resolution entitled

Concurrent resolution to provide for paying expenses of Attorney General in attending the Supreme Court of United States in case of State *vs.* Max Klingler;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Thomas introduced a bill entitled

An act to amend section forty-six of chapter thirty-eight, General Statutes, relative to county warrants;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Marshall introduced a bill entitled

An act to amend sections twenty-five and twenty-six of chapter

forty-eight of title seventeen of the General Statutes, being sections twenty-five and twenty-six of chapter eighty-four of article three of Wagner's Missouri Statutes, in relation to swamp lands;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Swamp Lands.

Mr. Claiborne introduced a bill entitled

An act amendatory of an act entitled of stray;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Wielandy introduced a bill entitled

An act to amend the several acts and parts of acts incorporating the City of Jefferson;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Claiborne introduced a bill entitled

An act in relation to the justices of the county court of St. Louis county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis delegation.

Mr. Neal introduced a bill entitled

An act to amend section one of an act to fix the amount and rates of taxation for State revenue and for the payment of all State indebtedness, approved February 16, 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Scoville introduced a bill entitled

An act to amend sections two, three and four of an act entitled an act in relation to certain records of Howard, Ray and Carroll counties, approved March 24, 1870;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Stone introduced a bill entitled

An act to amend chapter one hundred and ninety-five of the General Statutes of Missouri, concerning mechanics' liens;

Which was read the first time, rules suspended, read the second time, and, on motion.

Referred to the Committee on Manufactures.

Mr. Neal introduced a bill entitled

An act to provide docket book for justices of the peace;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Justices of the Peace.

Mr. Stone introduced a bill entitled

An act to amend chapter one hundred and sixteen of the General Statutes of Missouri, concerning curators, guardians and wards; Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Shields introduced the following bill, entitled

An act to amend and consolidate into one act an act entitled an act to incorporate the State Insurance Company of the city of Hannibal, and all acts amendatory thereof;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Insurance.

Mr. Borg introduced the following bill, entitled

An act to provide for publishing and distributing a work by S. U. Reavis, entitled "St. Louis, the future great city of the world,"

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Immigration.

On motion,

Senate bill No. 44, entitled

An act for the payment of Captain Lehmann's company of Missouri militia,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

On motion,

Senate bill No. 34, entitled

An act for the relief of Sarah C. Childress,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

On motion,

Senate bill No. 30, entitled

An act in relation to courts,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

On motion,

Senate concurrent resolution, entitled

Concurrent resolution concerning the geological report as made by Prof. A. D. Hager,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Mines and Mining.

On motion,

Senate bill No. 15, entitled

An act to refund money to the board of managers of the Roman Catholic Male and Female Orphan Asylum,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Claims.

On motion,
Senate bill No. 5, entitled
An act to re-enact section thirty, chapter two hundred and seven of the General Statutes, entitled of crimes and their punishment, and being section 30, article nine, Wagner's Missouri Statutes,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Criminal Jurisprudence.

On motion,
Senate bill No. 9, entitled
An act amendatory of and supplementary to the charter of the city of St. Joseph,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Local Bills.

On motion,
Senate bill No. 6, entitled
An act to refund to the German St. Vincent Association seven hundred eleven 41-100 dollars,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Claims.

On motion,
Senate bill No. 20, entitled
An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Internal Improvements.

On motion,
Senate bill No. 23, entitled
An act to provide for the investment of balances in the executors' and administrators' and redemption of land funds,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Ways and Means.

On motion,
Senate bill No. 27, entitled
An act repealing the acts establishing the Kansas City court of common pleas,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

On motion,
Senate bill No. 46, entitled

An act to amend an act amendatory of act entitled an act to incorporate the town of Brunswick,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

On motion,

Senate bill No. 53, entitled

An act to amend an act entitled an act to authorize cities, towns and villages to organize for school purposes with special privileges, to repeal certain acts therein mentioned, and all acts and parts of acts inconsistent with said act, approved March 21, 1870,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

On motion,

Senate bill No. 56, entitled

An act entitled an act to amend an act entitled an act to provide for the reorganization and support of public schools, and to revise and amend laws relating thereto, and repeal certain acts and parts of acts,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

On motion,

Senate bill No. 70, entitled

An act to amend chapter two hundred and one of the General Statutes, and Wagner's Statutes, chapter forty-two, article three,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

On motion,

Senate bill No. 121, entitled

An act to change the time of holding courts in the 10th judicial circuit,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

On motion,

Senate bill No. 12, entitled

An act to amend section sixteen of chapter forty-one of the General Statutes of the State of Missouri entitled "of the incorporation of towns, elections and powers of trustees," etc.,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Bohn rose to a question of privilege with reference to a publication in the *Warsaw Times*, in which he was charged with casting reflections upon the Speaker in regard to his appointment of the Committee on Elections, retracting the personal reflections.

The hour for special order having arrived, being the consideration of

House bill No. 197, entitled

An act to amend sections six, thirteen, fourteen, seventeen and eighteen, of an act entitled an act to provide for the reorganization and support of public schools, and to revise and amend laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870,

Was taken up.

Mr. Maupin moved that the House go into Committee of the Whole for the consideration of

House bill No. 197;

Which was agreed to.

Mr. Knott in the chair.

Mr. Myers moved that the committee rise and take a recess;

Which was agreed to.

Speaker Wilson took the chair and called the House to order.

Mr. Knott, chairman of the Committee of the Whole, reported progress, and the committee asks leave to sit again.

Leave was granted.

On motion of Mr. Myers,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

On motion of Mr. Mullings,

The House went into Committee of the Whole.

Mr. Knott in the chair.

Mr. Stone moved that the committee rise and take a recess;

Which was agreed to.

Speaker Wilson called the House to order.

Mr. Knott, chairman of the Committee of the Whole, reported progress but no definite action, and the committee asks leave to sit again.

Leave was granted.

On motion of Mr. Shafer,
The House adjourned until 10 o'clock to-morrow morning.

SATURDAY, FEBRUARY 18, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Samuel,
The further reading of the journal was dispensed with.

Mr. O'Bannon of Pettis presented a remonstrance against a petition asking the formation of a new county embracing a part of the territory of Pettis county.

Mr. Thomas introduced a bill entitled

An act to provide for the working of public roads in certain counties of this State;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Roads and Highways.

Mr. Ballard introduced a bill entitled

An act to amend an act entitled an act to amend an act to establish a court of common pleas in the county of Platte, approved March 1, 1857, approved March 26, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Colcord introduced a bill entitled

An act to authorize certain volumes of the American State papers to be read in evidence in the courts of this State;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Colcord introduced a bill entitled

An act to amend chapter seventy-six of the General Statutes of Missouri concerning trespasses, the same being chapter one hundred and thirty-eight of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Bittinger introduced a bill entitled

An act to amend chapter ninety-eight of title twenty-six, entitled of dramshop keepers and their licenses, of the General Statutes of Missouri, the same being section eight of chapter forty-eight of Wagner's Missouri Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Bittinger introduced a bill entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. McAllister gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to establish a probate court in the county of Scotland.

Mr. Cloud gave notice that he would to-morrow or some subsequent day introduce

A bill to regulate the rights of courts to banks.

The Speaker laid before the House the report of the Board of Inspectors of the Missouri State Penitentiary;

Which was read, and, on motion,

Referred to Committee on Penitentiary.

Mr. Sorrell introduced a bill entitled

An act to pay Joseph Mosby per diem and mileage, as member elect from Maries county to the 24th General Assembly;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

Mr. Claiborne introduced a bill entitled

An act entitled an act in relation to justices of the peace and constables in St. Louis county, taking change of venue, costs, jurisdiction, and for other purposes, also to abolish the court of criminal correction;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Colcord introduced a bill entitled

An act to establish Water-works Park in the city of St. Louis;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to St. Louis Delegation.

Mr. Samuel gave notice that he would on Monday next or some subsequent day introduce

A bill to appropriate money for the use and benefit of the State Lunatic Asylum.

Mr. Myers gave notice that he would on Monday next or some subsequent day introduce

A bill to provide for electing and summoning juries.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to amend sections two and seven of the General Statutes of Missouri, entitled "of dramshop keepers and their licenses."

Mr. Shields gave notice that he would on to-morrow or some subsequent day introduce

A bill to remodel the jury system of the State.

Mr. Harmon gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to register the votes of this State, and to repeal all former and conflicting acts.

Mr. O'Bannon of Pettis gave notice that on to-morrow or some subsequent day he would introduce a bill entitled

An act to amend an act entitled an act to aid in the establishment of normal schools, approved March 19, 1870.

Mr. Wielandy introduced a bill entitled

An act to appropriate money in the erection of a bronze equestrian statue to the memory of Gen. Nathaniel Lyons;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Colcord introduced a bill entitled

An act to amend an act entitled an act for the incorporation and regulation of life assurance companies, approved March 10, 189;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Insurance.

Mr. Colcord introduced a bill entitled

An act to provide parks for the city of St. Louis;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Colcord introduced a bill entitled

An act to extend the jurisdiction of the police court of the city of St. Louis for certain purposes;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to St. Louis Delegation.

Mr. Turner introduced a bill entitled
An act to repeal an act amendatory of the charter of the North Missouri railroad company, approved February 18, 1865;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Banks and Corporations.

Mr. Murphy introduced a bill entitled
An act to admit of the passage of fish through obstructions across the water courses of this State;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Agriculture.

Mr. Brown of Monroe, introduced a bill entitled
An act to provide for the protection of shippers of stock by railway;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Agriculture.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary have had under consideration

House bill No. 81,

Being an act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits,

And have instructed me to report the following substitute, with a recommendation that the same do pass;

Which was read.

House bill No. 81, entitled

An act to define the limits of and fix the time for holding courts in the fourteenth and 22d judicial circuit,

Was taken up together with an amendment by way of substitute, as recommended by the committee;

Which was read and agreed to.

The bill as amended was read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Bohn, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Howell, Hubbell, Kitchen, Knott, Kost, Lamson, Langston, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Ray, Richardson,

Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, She-walter, Shields, Smith, Sorrell, Stancil, Steele, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan and Mr. Speaker—96.

NOES—None.

Absent—None.

Absent with leave—Messrs. Bass, Bell, Borg, Bosbyshell, Buckingham, Bulkley, Burrows, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hammett, Hickman, Hooper, Koch, Latshaw, Leach, Logan, Ming, Moore of Livingston, Pope, Pauley, Rolston, Sides, Sloan, Stone, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain, and Worden—39.

Sick—Messrs. Gratiot, and O'Bannon of Dallas—2.

Mr. Mullings moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

On motion, leave of absence was granted to Messrs. O'Bannon of Pettis, Borg, Hackman, Ming, and Dolle, for two days.

To Mr. Koch for three days.

To Messrs. Gates, Frost, Walker, and Bulkley, for one day.

The following communications were received from the Governor by his private Secretary, Mr. Judson :

To the Honorable, the Twenty-sixth General Assembly :

GENTLEMEN :

I. In the matter wherein the State of Missouri is plaintiff against John B. Gray, defendant, for the recovery of ninety-eight thousand dollars, alleged to have been received and appropriated to his own use by the latter out of moneys rightfully belonging to the Commonwealth, I have received from the Attorney General a communication, together with various letters and accompanying documents, which I deem it right to lay before you for consideration. The claim is a large one, has been a matter of direct legislation heretofore, and it is eminently proper that no course should be pursued looking to a release or failure to prosecute without your direct and explicit sanction. It is not necessary to restate the cause of controversy further than to say that whilst any claim upon the part of the defendant in having secured from the United States the appropriation in question is utterly without foundation, that having been accomplished by your Senators and Representatives in Congress, of their own motion and upon information prepared in the office of the Adjutant General; yet it is true that his services were eminently efficient and valuable in the work of auditing and allowing the claims, explaining their nature, perfecting the evidence, and securing final and satisfactory settlement. For this he is entitled to ample and liberal remuneration, and in estimating it should be given the benefit of all equities arising, from the fact that he believed himself to be acting under a valid contract with the Executive of the State.

In one respect, however, this whole proceeding is indefensible, and that is in undertaking to retain and appropriate to his own use part of

the amount collected without having the same first sanctioned and approved by the proper authority. That there may have been precedents for the course pursued by defendant is no justification; for if his agency was valid he was bound to pay over the whole amount collected; if invalid or informal, he certainly had no right to retain any moneys of the State.

Without undertaking to advise as to what may be deemed best in the premises, I yet realize that it would be a sad neglect of duty, if with such evidence of the remissness with which public funds, when collected, may be misappropriated, you should fail to make a better provision in law, that shall preclude hereafter anything else than the receipt of the Treasurer of the State from operating as a release of any claim, that may be made good in behalf of the State, that shall appoint him as the proper officer to receive all moneys thus falling due, and that shall require the presentation of his acknowledgment before the entering of satisfaction in any court by any attorney of record on behalf of the State. Such a provision of law would have saved large amounts to the Treasury in the past, and may operate as a still greater protection in the future; for whilst attorneys or accredited agents may be irresponsible, the Treasurer himself is under heavy bonds, and thus affords a valid security for the better placing of the money of the State.

II. In carrying forward policies of general legislation, I would respectfully submit to you the propriety of establishing a Board of Railway Commissioners to supervise and report upon the operation of the various roads already built, or in process of construction and projection through the State. The interests of insurance, and the necessity of protecting the rights of the insured, have already been recognized by the organization of such a control, and surely the immense capital invested in our internal lines of transit, and the vast involvement of agricultural productions, mercantile interchange, and passenger transport, that are dependent upon their correct and uniform management, equally deserve attention and inspection by the General Assembly. When our enterprises of this character were few, and those chiefly controlled by the State, there was every opportunity for redressing any wrongs against the public, but the regulation, as far as practicable, of through and local business, the connections with each other on proper time tables, the precautions to render life safe by systematic telegraphy, the prevention of monopolies under the guise of fast express lines, the assertion of stockholders' rights against undue combinations, the scrutiny as to the solvent basis of newly projected lines as a safeguard for county subscriptions—all these are matters more or less within the cognizance of legislation, and cannot safely be left to the random competition of multiplied rivalries, each striving for a separate advantage. Such a commission also would be no less desirable to the railroads than to the public, for whilst it would give strength and speedy correction to any well founded complaint from individuals, it would inspire unity, method, responsibility, and general co-operation in many essential matters amongst all the railroads within our borders.

It often happens, moreover, that special legislation is asked for, yet the General Assembly has no method of eliciting information on which to act in time for any proper consideration of the subject; and certainly should it be hereafter determined, as it has been heretofore proposed, to turn again into the lines of internal improvements amounts accruing from outstanding railroad indebtedness, the assistance of such a commission in giving direction, shape, outline, and right organization to such further subversion would be invaluable. Other States have found the greatest protection in such a commission, not so much, perhaps, from actual con-

trol in ordinary matters of railway government, as in the fact that there was in existence a supervision, that would surely expose and report any long continued infringement upon the rights of passengers or shippers.

The power of such a board should be carefully guarded, as they have been elsewhere—their duties of supervision and inspection distinctly marked out—full protection accorded to the companies against infringement of chartered privileges, and their authority in examining the projection and proposals of all new companies made most ample, even to the extent of temporary suspension. In this wise, it is believed, many millions of dollars would be saved to our people from sharpers only anxious to secure county bonds on paper roads, and that hundreds of lives would be protected that are now lost by a most reprehensible consulting of economy at the expense of safety by the directors.

Nor could its institution be reasonably objected to. It is by virtue of corporate organization furnished by the State that they exist; in almost every instance it is by liberal aid of public moneys that they are built; only by special and favored legislation do they maintain themselves against popular animadversion when remiss; and it is right, therefore, that the State should have an agency specially charged with scrutinizing their conduct and bringing them before the courts and the General Assembly for a redress of grievances. Indeed the shaping of good government in our midst cannot well be accomplished without policing the large corporations of the State—the conventional creatures of law—equally with the personal relations of life. I trust, therefore, that this matter will meet with your favorable consideration.

III. I desire again to invite your attention to the necessity of a revision of the present registration law. The adoption of new articles of the Constitution places those authorities charged with the enforcement of the laws in the very improper attitude of necessarily either violating that instrument as it stands amended, or else disregarding the statutes that prescribe and define their duties. This leaves the whole subject in an attitude of doubt and obscurity, that leaves officers perplexed as to their duties, and voters uncertain as to their rights. Already several special elections have been held and the difficulties have been avoided, as best they could, in pursuance of instructions from the Executive based upon an opinion of the Attorney General. But in a matter of so great moment as the elective franchise, such looseness of procedure is to be highly deprecated. Other elections have been ordered and transpire a short time hence. The prescribed mode of perfecting registration causes needless delay, and it is more than probable, that in consequence of the failure of the General Assembly promptly to revise the registration law, many citizens who are now entitled to a full participation in the suffrage, will be deprived altogether of their votes. It may be deemed by some that special elections for minor county officers are not matters of very great moment, but it should be considered at the same time that any deprivation of citizen rights, that maintains in fact unconstitutional disfranchisements, is not measured by those wronged according to the importance of the occasion, but by the intensity of the demand for an equal freedom in their own persons. Dilatory legislation, therefore, on a matter so vital to the harmony of our whole community will not meet the just expectation of the people of the State, and I fear it will be found that the slower the redress the more difficult it will be to prevent any measure of the kind from drifting back into the asperities of former partisanship.

IV. The subject of a change in our grand jury system, and the initiation of criminal procedure by way of information has already been brought to your attention. This will require a constitutional amendment for its accomplishment, but it is believed by many of our ablest justices that a

radical alteration in the present mode of presenting crimes and misdemeanors is essential to the ends of justice. In connection with the same general subject the abuses, that have crept into the mode of summoning and empanelling all juries, deserve serious consideration. At present the whole matter as to who shall serve on juries is left to the discretion of the sheriffs of the several counties. They may summon whom they please, and excuse from service those from whom partiality or friendship exists. Often merely on the solicitation of the juror, the sheriff being anxious for popularity, excuses those best qualified to serve. Partisan feeling and corrupt influences may, under the present law, be brought to bear upon the officer, and result in the perversion of the objects for which "trial by jury" was instituted. Nearly all of the older States have adopted a system of listing for jury service those who are qualified, and whose duty it is to serve as such, and provisions equalizing the service among the citizens differing in details, but agreeing in the main, may be found upon the statute books of many of our sister States. In view of the fact that in many of the counties of this State there has arisen under the present law a system of summoning and resummoning gentlemen, who may, on account of frequent service, be called "professional jurymen," and for the reason hereinbefore stated, it is evident that a change of law in this respect would be desirable and beneficial to the general interest of the State.

All of which is respectfully submitted.

B. GRATZ BROWN.

[DOCUMENTS ACCOMPANYING MESSAGE.]

LETTER FROM ATTORNEY GENERAL.

OFFICE OF ATTORNEY GENERAL,
Jefferson City, Mo., January 27, 1871.

His Excellency, B. Gratz Brown, Governor:

SIR: I find among the causes which came into my hands as Attorney General, one pending in the Circuit Court of St. Louis county, wherein the State of Missouri is plaintiff against John B. Gray, defendant. It is claimed in the petition in said suit as a cause of action, that the defendant has received and appropriated to his own use the sum of ninety-eight thousand dollars belonging to the State of Missouri. This money is a part (being one and one-half per cent. of the amount) of the appropriation made by Congress to reimburse the State of Missouri for money expended in aid of the government in suppressing rebellion. The defendant claims that the said amount was received by him for his services in aiding our members of Congress in procuring said appropriation, in acting as the agent for the State in the adjustment of the claim by the commissioners appointed therefor by the President, and in its further adjustment by the Third Auditor of the Treasury at Washington, D. C., and in receiving said money from the Treasurer, and paying the same over to the State. That said services were performed by him as agent of the State under and by authority of a contract therefor with Governor Fletcher, and that the amount so received by him was no more than he was entitled to receive for his said services, under and by virtue of the terms of said contract; and further, that his services were reasonably worth that sum, in consideration of his time and money expended, the risk

taken, the responsibility assumed, and the advantages accruing to the State therefrom.

It is admitted, on part of the State, that he performed the services under contract with the Governor, and is not claimed that he received or retained an amount greater than was stipulated in the contract; and it is also true that he paid into the State Treasury and the National Bank of Commerce in New York, to the credit of the State, \$6,472,289 35, being only \$3,561 66 less than the amount allowed by the commissioners appointed by the President to adjust the claim. That from his intimate knowledge of the various claims of the State, and the objects for which the money was expended, combined with his energy and admirable address, he succeeded in having audited and allowed by the Treasurer of the United States the sum of \$94,994 30, in excess of the amount found due by the commissioners. For a full history of this, I refer to Governor Fletcher's message to the Twenty-fifth General Assembly, and to the report of General Gray accompanying said message. It is urged, however, on part of the State, that the contract under which the services were rendered is void. That the Governor had no warrant in law for binding the State by any such contract, and that all the money received by defendant from the United States, belongs to and should be paid into the State Treasury. In short, that the State having been largely aided by defendant in emerging from a state of bankruptcy, in having her bonds appreciated from a mere nominal price to ninety-five cents on the dollar, should now claim, receive and retain the entire benefit of his labors, and denying her servant all compensation, force him into bankruptcy.

Accompanying this communication, I herewith transmit to you copies of the depositions in the cause, together with the letters of Hon. H. B. Johnson, former Attorney General, and Geo. W. Anderson, ex-member of Congress, from the 9th district.

From the pleadings on file, and the depositions of witnesses in the cause, I have arrived at the conclusion that, although the Governor may not have possessed in law the proper authority to warrant him in making the contract, the sequel has proved that his so doing has resulted in great benefit to the State. That Gen. Gray's services were worth to the State vastly more than the amount he received, and that it would be unjust for the State after having accepted the benefits of his labor to bring financial ruin on him simply because the contract under which he in good faith acted was informal.

Not desiring myself to assume doubtful authority, I have the honor to request that you lay the subject before the present General Assembly with such recommendations as you may deem proper, and I would respectfully request them to direct me, by resolution or otherwise, what disposition they desire me to make of the cause.

I have the honor to be, with much respect,

Your obedient servant,

A. J. BAKER, Attorney General.

LETTER FROM H. B. JOHNSON.

JEFFERSON CITY, Mo., January 22, 1871.

Hon. A. J. Baker, Attorney General of Missouri:

DEAR SIR: Your letter of the 21st inst., in which you say that in your opinion the suit of the State of Missouri *vs.* Gen. John B. Gray is an unjust one, and ask my views in regard thereto, is received.

When I went in office (Jan. 1, 1869), this suit was pending, and I at once requested General Robert F. Wingate, who brought the action, to retain control of the same until decided, which he consented to do.

The only thing I have done in the case was to represent the State at Washington City in the taking of certain depositions on the part of the defendant.

The testimony then taken tended to show that General Gray was faithful and efficient in the prosecution of the claim; that he secured payment of the claim much sooner than otherwise could have been secured; that he made the same much larger than any other person could, and that, in short, he performed services which were very valuable to the State, and which no other person could have performed so well.

Of course, I have no means of knowing what may be made to appear by countervailing testimony, as I have not examined the testimony with a view of trial.

These are the views I have of the case so far as formed.

I am, very respectfully,

H. B. JOHNSON.

P. S.—Unless you have testimony upon which you can make an entirely different case from the one presented in the evidence already on file, I should concur with you in the opinion that the State ought not to recover.

Yours, etc.,

H. B. JOHNSON.

LETTER FROM GEO. W. ANDERSON.

JEFFERSON CITY, Mo., January 27, 1871.

Hon. A. J. Baker, Attorney General of Missouri:

DEAR SIR: I desire to call your attention to the case of the State of Missouri *vs.* John B. Gray. I have never doubted the injustice of this proceeding. I was the member of Congress from this State, representing the 9th District, when General Gray was constituted and appointed by the Governor an agent to present the claim to Congress. The peculiar fitness of this appointment on account of General Gray's knowledge of the claim, no one has ever disputed. Of the value of his services there can be no question, and I do not hesitate to say that 1½ per cent. was a low commission for his services.

I earnestly hope that such action may be taken in this matter as will result in relieving Gen. Gray of any further prosecution of the suit.

I am, very truly, yours,

GEO. W. ANDERSON.

LETTER FROM JOHN B. GRAY.

JEFFERSON CITY, Mo., January 23, 1871.

To His Excellency, Governor B. Gratz Brown:

GOVERNOR: You are somewhat familiar with the history of this case. You introduced the bill into the Senate which was finally passed in the House, with amendments, and you procured the action of the Senate upon the amendments within twelve hours after the bill was received back from the House.

You remember, of course, all of the difficulties which the measure had to encounter in the House and of the triumph which you achieved in procuring legislative recognition of the claim with a *conditional* appropriation—a conditional appropriation even was a great success.

But the labor necessary, and the management and skill required to get the money from the United States after the bill became a law, you cannot have known so much about. The hardest part of the work was after the bill was passed.

It was so hampered with conditions, which left it within the province of so many people to interpose objections, suspensions and disallowances, as well as delays, under the guise of watchfulness for the interests of the United States, that the services of some person, who should be not only thoroughly conversant with the details of the claim from its incipency, but also equally familiar with the rules governing the auditing of claims in the treasury, and modes of presenting evidence required therein, was essential.

At the risk of seeming egotism, I must say that I believe I possessed both of these requisites. At any rate I was successful. There might have been others who could have done the work as well, but they were not tried.

I acted and worked in good faith under the appointment and contract which I had under Governor Fletcher, and the State received the benefit of my services. Others might have done the work, and taken the risk of expenses and years of labor, for a less compensation. Now, that it is *un fait accompli* it is easy to say so.

Now, I have never asked for, or taken the initiative in any steps, looking towards the dismissal of this suit, but as the subject was broached by the late Attorney General, Mr. Johnson, who came to me of his own accord, and stated that he was satisfied that the thing was an injustice to me, from what evidence had already been put on record, and that it was his intention to dismiss it, the idea has occurred that the action of the State authorities in that direction would be a greater satisfaction to me hereafter, than the winning of the suit in a court of law, by the decision of a jury. I have not the least fear of a trial in the courts. The evidence which I can bring upon my side will be so strong that no jury of business men could ever bring in a verdict against me.

I acted in good faith under the contract looking to a contingent fee only, risked expenses and time, with no prospect of remuneration, except in event of success.

The State received the benefit of my services, received the money from me, and applied it to its own uses.

The commissions which I received were less than is customarily paid to brokers and agents, who are employed to conduct large financial transactions, less even by one-half than the State herself has paid agents before, as in the case of John W. Reid. So upon a *quantum meruit*, I could undoubtedly recover.

I gave no bond, and every dollar of the six millions and a half passed through my hands. I could have stolen a million had I been so inclined. Men are usually paid well even for being responsible for large amounts.

If you can concur with the opinions of the Attorney General, and ask action of the Legislature upon the papers which are sent you, I think you will be doing an act of justice, and one which will be appreciated by your friend and obedient servant,

JOHN B. GRAY.

[COPY.]

NOTICE TO TAKE DEPOSITIONS.

The State of Missouri, plaintiff, }
 against } In the St. Louis Circuit Court, for the
 John B. Gray, defendant. } county of St. Louis, State of Missouri.

To the above named plaintiff:

You are hereby notified, that depositions of witnesses, to be read in evidence in the above entitled cause on the part of the defendant, will be taken at the office of Sanborn & King, No. 344, Pennsylvania Avenue, in the City of Washington, in the District of Columbia, on the 21st day January, A. D. 1870, between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon of that day, and at the taking of said depositions, if not completed on that day, will be continued from day to day, at the same place and between the same hours till completed.

(Signed) HARDIN & CRANE, Attorneys for defendant.

Service of the above notice is hereby acknowledged, and issue of dedimus and all exceptions as to time waived.

(Signed) R. F. WINGATE, Attorney for plaintiff.

December 22, 1869.

[COPY.]

DEPOSITIONS.

Depositions of witnesses produced, sworn and examined at the office of Sanborn & King, in the City of Washington, in the District of Columbia, (No. 344 Pennsylvania Avenue,) before me, the undersigned, a commissioner for the State of Missouri, in a certain cause now pending in the St. Louis Circuit Court for the county of St. Louis, State of Missouri, between the State of Missouri, plaintiff, and John B. Gray, defendant, on the part of the defendant.

Roswell Hart, of lawful age, being sworn and examined on the part of the defendant, deposeseth and says as follows:

My name is Roswell Hart; my residence is in Rochester, New York; my age is 42 years. I have no particular occupation at present. During the years of 1866 and 1867, I was a member of the United States House of Representatives from the 28th district of New York. I know the defendant in this case. I know of a claim presented by the State of Missouri against the United States for reimbursement of moneys expended by that State for the United States, during the late rebellion. The claim was presented to me as a member of Congress, by the defendant in this suit. All the knowledge I had of the claim I received from him. From the statements made by him, the claim seemed so eminently meritorious that I at once promised my aid and rendered him all the assistance in my power. The sentiment of that Congress was very much against the allowance of war claims of any kind, owing to the fact that they were so enormous in magnitude, that to open the door for the payment of one claim, particularly so large as that presented by the State of Missouri, would be to involve the country in National bankruptcy. My present impression is, that I assured the defendant that the merit of his claim would have very little weight in procuring its allowance; that I did not think it possible that that Congress would vote so large a sum as six million dollars to anybody. I think the whole House was taken by surprise when the bill did eventually pass, and there was but one common sentiment among the members, that the success of the bill was due entirely to the untiring labor of this defendant.

I think that the State of Pennsylvania failed in a similar application before Congress, and that the State of Missouri presented the same claim before and had failed, though it was for two millions less. Members of Congress think they do all that can be properly expected of them if they vote for, or speak for a bill. It is always the custom of members of Congress to rely upon the representatives of a claim to work up their own cases, as they, the members, cannot give the attention necessary and attend to their other duties. I confess for my own part that when I received the statements in relation to this claim, I was under the impression that the defendant was yet Adjutant General of the State, and received his statements in regard to the case, supposing them to be official. And my then impression is that the then Governor of Missouri expressed a hope that I would assist General Gray in his efforts to secure the necessary appropriation.

It is my opinion that the claim could not have been carried through Congress by any person not having the peculiar knowledge of the defendant in this case, by his having been Adjutant General of the State at the time the most of the claims accrued.

In view of the visibility of talent, skill, patience, personal influence, personal magnetism, and great responsibility involved in the prosecution of the claim, I think that few persons competent to such an undertaking would have attempted its accomplishment for less contingent fee than from two to two and a half per cent. upon the amount collected, and in my opinion it was fully worth that fee.

I have no interest, direct or indirect, in the result of this suit, and I am in no way related to the defendant.

In my opinion the amount which was paid to the defendant for his services in this case was a cheaper commission than States generally have to pay for large financial transactions.

(Signed)

ROSSELL HART.

No other witness being produced the commission adjourned till to-morrow, 22d inst., at same place, between same hours.

I, John F. Callan, a Commissioner for Missouri, do hereby certify that Roswell Hart, the deponent, whose place of residence is Rochester, in the State of New York, was by me, sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, and that his deposition was reduced to writing and subscribed by him in my presence, on the 21st day of January, 1870, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, at Washington City, in the District of Columbia, at the office of Sanborn & King.

(Signed)

January 23, 1870.

JOHN F. CALLAN,

Commissioner of Missouri.

Commission resumed as of yesterday, when,

John T. Vinson, a witness of lawful age, being sworn and examined on the part of defendant, deposes and says as follows:

My name is John T. Vinson. I am an attorney at law by profession, and at present a clerk in the Internal Revenue Bureau, and have had charge of the refunding and abatement claims in said office. I am acquainted with General John B. Gray, of St. Louis, Mo., and am familiar with the claim of the State of Missouri, under the act of the 17th April, 1866, referred by the Secretary of the Treasury to the Third Auditor for examination and settlement, in January, 1867. I was at that time a clerk in the Third Auditor's office, and was assigned by John Wilson, Esq., the then Third Auditor, to supervise the examination and settlement of said claim. In the discharge of this duty I was brought in constant intercourse with General Gray, who represented the State before the Department. The claim was filed in the Third Auditor's office in January, 1867, and the net amount allowed by the commissioner was six million four hundred and seventy odd thousand dollars, and in less than ten months thereafter there had been allowed and paid the State more than six million five hundred thousand dollars. All of the statements and reports on which the said amount was paid were made by myself, and in my opinion the speedy settlement of the claim was mainly due to the tact, ability and perseverance of General Gray. He was always on hand, urging its settlement, and by his intimate knowledge of the various military organizations of the State, and his thorough knowledge of the whole claim, he was enabled to supply information, and remove, in a few days, difficulties and objections that would have taken weeks, and probably months, for a stranger, or for one less familiar with the details of the claim, or of less ability and energy than General Gray, to have satisfactorily explained. From my knowledge of the services rendered by General Gray in the prosecution of this claim before the Department, I am of opinion the State of Missouri would have been largely the gainer to have paid him two or three per cent. commission on the full amount as allowed, than to entrust its management to a stranger who would have agreed to undertake it free of charge; for I consider there was saved to the State of Missouri from one-fourth to one-half million of dollars, in interest alone, by the prompt settlement of this claim, effected in a great measure by General Gray's efforts, and I base this opinion upon the fact that many of the States filed their claims in the Third Auditor's Office long before the State of Missouri, and they have not yet fully effected their settlements, and I know of no other reason for it except the different manner in which the respective claims have been prepared and pressed for settlement.

(Signed.)

JOHN T. VINSON.

I, John F. Callan, a Commissioner for Missouri, do hereby certify that John T. Vinson, the deponent, whose place of residence is Washington, D. C., was by me sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, and that his deposition was reduced to writing by me, and subscribed by him in my presence, on the 22d day of January, 1870, between the hours of eight o'clock A. M., and six o'clock P. M., at the office of Sanborn & King, in the City of Washington, D. C.

(Signed)

JOHN F. CALLAN,

Commissioner of Missouri.

[L. S.]

Robert R. VanHorn, a witness of lawful age, on the part of the defendant, being duly sworn and examined, deposes and says as follows.

My name is Robert T. VanHorn. My age is 45 years. At present I am a member of the House of Representatives from Missouri to the U. S. Congress. I was a member of the 39th and 40th Congresses, and am a member of the present Congress. I know the defendant in this suit since 1862. I am familiar with a claim made by the State of Missouri against the U. S. Government for moneys expended by that State in the suppression of the recent rebellion. My knowledge of the origin of the claim is general. It was for money paid out by the State for arming, clothing, equipping, subsisting and paying various bodies of State troops raised and used in the suppression of the rebellion. The claim was for between six and seven million dollars. The defendant was Adjutant General for Missouri for most of the time of the war, while this claim was accruing. The claim was presented to Congress at various stages during the war and during the 38th Congress, and also was pending when I came into the 39th Congress at its beginning. The claim had failed once in the 38th Congress, although presented for a smaller amount, and the bill allowing the claim passed in the 39th Congress, the claim being referred to a commission to be appointed by the President—the payment to be made upon an award of that commission. The award, amounting, as I now recollect it, to over six million dollars, which was paid by the Government to the State of Missouri, through the agency of this defendant. General Gray's connection with the claim in Washington, as agent of the State of Missouri, commenced in the 39th Congress, extended through all the periods of legislation on the subject, before the commission appointed to examine it, before the Treasury Department in its collection and final settlement and payment, till the whole business

was settled, and the money placed in the treasury of the State of Missouri. All papers, evidence, arguments and explanations, vouchers and everything, both before Congress and afterwards, were all attended to by this defendant; and my opinion is very clear that, without his assistance the legislation would not have been anything like so favorable, if successful at all, as the information upon which members of Congress from Missouri relied before the committee and before the House was of such a character that no one in the State could have furnished it except a person holding a position held by the defendant during the war. The various organizations of troops, the peculiar circumstances under which many of them were supplied and organized, defective accounts and vouchers, and in some places the entire absence of anything like regular accounts made his knowledge indispensable to the successful presentation of the claim, as nobody else had such information as this defendant, and no one else could acquire it. My recollection is that the delegation from Missouri made this statement to the Governor of the State, and requested that this defendant might be retained in Washington, as agent for the prosecution of the claim, as it was impossible for them to do anything with the claim without him. I know I made this request myself. The delegation of the State had neither the knowledge nor the time requisite to secure successful legislation on the claim. His services were not confined to giving information to the State delegation alone, but to the committee and to members of Congress generally. In fact, when any of us made an argument or statement in favor of this claim, we had to call upon this defendant for the data and official record to sustain it. Claims of similar character were presented by several other States during the pendency of this claim before Congress, none of them, however, anything like so large as the claim of Missouri, and my impression is that this claim was the first, or among the first passed, and some of them were pending in the 40th Congress, and some of them are yet pending. The labor necessary to secure the settlement of these war claims made by the States is very great, incessant, requiring constant and the greatest care, attended with difficulties at every step. I have had abundant facilities for observation in regard to these matters, as well as personal experience therein.

Q. From your observation and knowledge of the labor and care required in the prosecution of this class of claims and the great responsibility involved, what, in your judgment, would be a fair compensation in the form of a per centage, on the amount collected to an agent for a State claiming six millions or more of dollars of unaudited claims, that could not be settled under any existing laws of Congress, for attending to the auditing of said claim and securing an appropriation from Congress to pay the amount audited.

(To this question the attorney for the plaintiff objects on the ground that the witness has not been shown competent to give an opinion as an expert in the collection of claims of this character.)

A. The only precedent that I remember in cases of this kind, was the collection of the two per cent. fund due the State of Missouri under the general law of Congress by John W. Reid, for which he was allowed and paid five per cent. as in by recollection upon the amount collected by him. There was no comparison as to the amount of labor required in the two cases, and my own opinion is that the \$98,000 paid by the State of Missouri to the defendant for his services in this case, was the cheapest job of the kind that I ever knew done. I think that the State of Missouri saved hundreds of thousands of dollars by the operation. I don't think the claim would have been through to-day if it had not been for the services of this defendant. I know that after the claim was adjudicated and closed by the commissioners on a construction of the act as an argument presented by the defendant, he secured an additional amount exceeding the amount paid said defendant for his services, which we have here in Washington considered at the time a clean gain to the State over and above the sum we expected to realize from the claim.

CROSS-EXAMINED BY COUNSEL FOR PLAINTIFF.

The defendant came to Washington about the commencement of the session of 1865, 1866, and remained until the passage of the act and the appointment of the commissioners, devoting his whole time to the prosecution of this claim. The statements in this case which went before the committee are made by the defendant.

Q. State whether or not the indebtedness on which the appropriation was made by Congress, were the same as those upon which Congress allowed the claim?

A. The commission sat in St. Louis, and I was in Washington, and I don't know if the papers were the same in both cases.

Q. Do you know of your own knowledge the length of time spent by General Gray (the def't) in preparing the evidence of indebtedness presented to Congress, upon which the appropriation was made.

A. I know nothing of the time spent previous to his arrival in Washington.

Q. Have you any knowledge derived from personal experience, as to the length of time or amount of labor required by a person familiar with the claim to prepare the evidence of indebtedness, which were presented to Congress in this case?

A. I never was a claim agent in any case or any way.

Q. State as to whether or not you can judge as the amount of time spent by this defendant in preparing this claim to present to Congress before coming to Washington?

A. I have no means of forming a judgment on the subject.

Q. State whether or not you have any knowledge of other parties presenting and aiding in the prosecution of this claim or any portion thereof?

A. None except the Missouri Delegation in Congress, in the line of their legitimate duties as members of Congress.

Q. When was this claim or any part of it presented to Congress?

A. My first recollection of the presentation of any portion of it, was during the 38th Congress, while I was not a member of Congress, but I was present in the Hall of the House of Representatives when the bill was defeated.

Q. Who prepared that claim for presentation?

A. I don't know.

Q. Do you know if the defendant was at that time Adjutant General of Missouri?

A. Yes, I think he was, but I do not know that as such he prepared the claim.

Q. Do you know any thing about the amount of time or labor employed by the defendant in preparing and presenting this claim to the commission appointed to adjudicate it?

A. I don't recollect. I have no data now to guide me in answering as to the amount of time the commission was in session in St. Louis, or the amount of labor he performed before the commission. My judgment in this matter is formed from what came under my own observation.

Q. After the commission had passed on and allowed this claim, do you know the length of time and labor employed by the defendant in securing its payment by the treasury department?

A. I have not the dates as to the commencement and termination of his labor, but it was a long time, requiring his permanent residence in Washington, all the while, and in which he had no assistance from members of Congress, as in the legislation of the claim, requiring numerous visits to New York, negotiating drafts, and payment of the money to the State as secured from time to time. The whole case having to be gone over again, in presentation of pay-rolls, vouchers and all description of evidence before the accounting officers of the treasury.

Q. When was this claim finally paid?

A. I can't fix the date definitely, but his time was occupied in it till final payment.

Q. State whether or not the opinions above given by you in regard to the value of the services of the defendant, is given with peculiar reference to the amount of benefit derived of such services for the State or is given with reference to the actual time and labor employed by the defendant in rendering such services?

A. I don't believe that without the assistance of defendant anything like the amount recovered could be recovered in any event.

Q. State whether your opinion above given in regard to the value of the services of defendant, is based upon the fact of his peculiar knowledge of this claim and the actual benefit derived by the State from services rendered by reason of such knowledge, and without any special reference to the actual time and labor employed by him?

A. My opinion in this case was given because the services of the defendant were valuable, both on account of his peculiar knowledge of the claim, the benefit derived by the State therefrom, and also in consideration of the value of his time and incessant labors in prosecuting the claim. I can form an opinion in no other way.

Q. State whether or not the Missouri Delegation considered it to be their duty during the pendency of this claim to employ their utmost exertions in securing its allowance and payment independent of any suggestions of the defendant?

A. My answer may answer for themselves. I considered it my duty to do everything I could to secure all that was justly due the State, without reference to what anybody else thought or did in the matter.

Q. The services then of the defendant, so far as the passage of this bill was concerned, were confined to furnishing you and the other members from Missouri, with the information upon which to urge the passage of the bill.

A. Not by any means. His services were rendered before the committee with other members of Congress, and in every legitimate manner, both on his own motion and at our request, and in every manner in which he could be useful.

Q. State whether or not such services consisted only in presenting to other members of Congress the evidences of the just indebtedness of the United States to the State of Missouri, which were presented to the Missouri delegation?

A. I cannot answer this question more definitely than I have already done.

(Signed.)

R. T. VAN HORN.

I, John T. Callan, a Commissioner for Missouri, do hereby certify that R. T. Van Horn, the deponent, whose place of residence is in the State of Missouri, but at present attending the Congress of the United States, as a member thereof, at Washington, D. C., was by me sworn to testify the whole truth of his knowledge touching the matter controversy in the cause aforesaid, and that his deposition was written out by me, and by him subscribed in my presence, on the 22d day of January, 1870, between the hours of eight o'clock A. M., and six o'clock P. M., at the office of Sanborn & King, at Washington City, (No. 344,) Pennsylvania Avenue.

(Signed.)

JOHN T. CALLAN,

Commissioner of Missouri.

[L. s.]

There being no other witness present the Commission was adjourned to the 24th inst., Monday, between the same hours, and at the same place.

MONDAY, January 24th, 1870.

Commission resumed as of Saturday, when

John Wilson, a witness of lawful age being sworn and examined on the part of the defendant, and deposeeth and says as follows:

My name is John Wilson, my age is 61 years, my residence Chicago, Illinois, temporarily in Washington, D. C., my occupation attorney at law and claim agent during the years 1867 and 1868. I was Third Auditor of United States Treasury. I know the defendant, and have known him since 1864. The State war claims claimed for property lost and destroyed in the military service of the United States. Quartermaster accounts, Commissary's and Engineer's accounts, and other accounts are examined in that office. I am familiar with the claim presented by the defendant in behalf of the State of Missouri for enrolling, arming, equipping and supporting the militia of that State during the recent rebellion. The defendant called on me, I believe, before he presented his case to Congress, for the passage of a law to embrace the claim, there being no law in Congress at the time under which it could be paid. I considered the matter Quixotic for the reason that many distinguished men of the country had endeavored to have all the claims of the State allowed for their expenses incurred in sustaining the government during the rebellion, in which they failed; and I also from my own experience considered it almost impossible to get a law passed through Congress for the recognition of any claims. The movements of the defendant before Congress, I only know from what he told me. My knowledge of the case was derived only from what occurred before me officially, in what I considered a very brief period. After the pas-

sage of law the defendant presented the claim to the State under that law for adjustment at the office of the 3d auditor of the treasury. My attention was called by the clerk in charge of that business to the admirable manner in which the claim had been made up, the statements prepared, and the vouchers arranged. They were presented in an unusually careful compact and business-like manner, and so arranged by subjects as materially to facilitate the examination of the claim. Defendant seemed to be perfectly familiar with the manner of adjusting these claims, and promptly furnished explanations and testimony required in the examination for the allowance of the vouchers as far as these allowances could be made under law and regulations, and seemed to be perfectly posted as to the individuals who could give these explanations and testimony, and where they could be found. He was always ready, prompt and diligent in following up the matter, and by his persevering industry, thorough knowledge of the business, and promptly furnishing all information required, greatly facilitated the prompt settlement of the claim. Indeed, I considered the claim as being settled in an unusually brief period of time, owing to these reasons, when compared to other claims of like character then, previously, and since before that office for adjustment. I detailed for the service such clerks as I could spare from other equal important and pressing duties, and they continued on this service through the close of it, being able to do so by the prompt removal of all difficulties by the defendant, and I would here remark that if this claim had been laid aside because of these difficulties, the clerks employed on it would be detailed for other service, which they would have been required to finish before leaving it, and so materially have delayed the settlement of the Missouri claim. In cases of similar claims on the parts of other States, the laws had been passed by Congress before the adjustment of the claims commenced. I am under the impression that none of the claims of other States have yet been finally settled. This claim was composed of several large boxes of vouchers for every item of expenditure which could be allowed, separate vouchers had to be presented in due form. No other person not having the general knowledge of the case that this defendant had, could have got it through in the same brief period of time. I have been for thirty-four years familiar with the mode of presenting and adjusting claims of all kinds before the departments. In 1834 I was placed in charge of the Pre-emption Division of the General Land office, where the claims were numerous and complicated, which I resigned in 1837, and went into the prosecution of claims against the government. In 1841 I was recalled by Mr. Spencer, then Secretary of War, to adjust the claims of the Indian Bureau, subsequently I was appointed principal clerk of surveys of the General Land Office, subsequently principal clerk of the public lands in the same office, and while in that position I was detailed by the President and Secretary of Interior to settle up the business of the Pension office. Prior to that, however, I was sent to Louisiana by order of the President, and at the request of the Louisiana Delegation in Congress to establish the basis for the settlement of the Swamp Land grant made to that State by the act of Congress in 1849, and to reconcile the differences which had arisen between the Governor of that State and the Surveyor General of that State, on that subject. I was afterwards appointed Commissioner of the General Land office, which position I held till June, 1855. I left and again went into the prosecution of claims against the United States. In December, of that year I was appointed Land Commissioner of the Illinois Central railroad company, which position I held for about three years, and again went into the prosecution of claims of all kinds against the Government. In October, 1864, at the earnest request of Mr. Fessenden, then Secretary of the Treasury, I accepted the position of Third Auditor of Treasury, which I resigned on the 15th of March, 1869, and in all these positions I had the examination of claims of all kinds and many of them for very large amounts. The fees charged for services of this kind, as far as my experience goes, are regulated by the amount of the claim, the knowledge requisite in the prosecution, and the difficulties and delays in procuring the adjustment of them together with the amount of benefit conferred upon the claimant by these services. I do not know what rates have been charged by claim agents generally for claims for States of this character.

Q. Speak what you know in regard to compensation usually allowed to claimants as a contingent fee for prosecuting and adjusting large claims against the United States before the department. (To answering this question the attorney for the State of Missouri objects, upon the ground that fees allowed to private parties under special contracts for the collection of other classes of claims, would not be a competent standard by which to determine the valuable services for valuable service rendered in the case.)

A. My own experience to the rate of compensation charged as contingent fee for the prosecution of such claims against the United States is from 20 to 50 per cent., sometimes such fees have to be divided between several attorneys who prosecute such cases jointly, and the lowest fee I have ever received, when combined with others in the prosecution of claims, was 10 per cent., that being my share of a larger fee charged.

Q. From your knowledge of the services that the defendant performed in this case, the character of the case, the advantages derived therefrom by the State of Missouri and your knowledge and experience of the compensation usually allowed as a contingent fee for such services before the departments, what in your judgment would be a fair compensation as a contingent fee to the defendant in this case? (The attorney for the plaintiff objects, upon the ground that this is not a question upon which it is competent to take the opinion of witnesses that being a question to be determined by the jury trying the case, and for the further reason that it has not been shown that the witness has any sufficient knowledge of compensation usually allowed in collection of claims of this particular character.)

A. If the contract had been offered to me to prosecute these claims originally, I should have asked 10 per cent. for the service, and would have considered, and do now consider, 6 per cent. a very small compensation. In view of the labor involved the time probably required, the uncertainty of success and the advantages flowing to the State from such services.

Cross examined by the attorney for the State of Missouri, the witness answers:

Q. 1. State whether or not you have ever prepared and collected a claim of any State for expenses incurred in suppressing the late rebellion similar to this one.

A. Not as the attorney of any State.

Q. 2. State whether or not you know the compensation allowed by other States to their agents for collecting claims of this character.

A. There is no other claim of this character as far as I am advised or know, for the reason that in all the other cases the law for the settlement of such cases was passed before the agent was appointed, and the agent was working on a sure thing, and what their compensation was I do not know.

Q. 3. State whether or not other States have employed agents to prepare and prosecute claims against the United States similar to this with the exception above named, based upon expenses incurred in arming, equipping and supplying forces to aid in suppressing the recent rebellion; if so, what States have employed such agents?

A. The claims of most of the States had been filed before I took charge of the office of the Third Auditor of the Treasury, and according to my understanding of the matter they were so prepared and presented by the authorities of the States under existing laws. In some cases commissioners were appointed by the Government of the United States to examine and prepare such claims, and those commissioners reported the result of their labors to the Third Auditor's Office. Agents of some of the States presented authority from the States to adjust and settle suspensions and disallowances, but this is the only case I know of where an agent was employed to get a law passed by Congress for the adjustment of such claims and prepare the vouchers and accounts under that law.

Q. 4. State how you know that the defendant was employed to procure Congress to pass any laws.

A. The defendant presented himself to me originally as the agent of the State, employed by the Governor to adjust this claim, but I know nothing of his authority to procure an act of Congress.

Q. 5. State whether or not the claim of Missouri, after the passage of the act of Congress, stood substantially upon the same ground as the claims of other States for similar expenditures.

A. The claims of all States for expenses incurred in suppressing the rebellion were examined and adjusted under the same general rules prescribed for that purpose by the Secretary of the Treasury after the laws had been passed authorizing such adjustment.

Q. 6. State what compensation agents of other States received for collecting claims of States similar to this after the laws had been passed.

A. I am not able to answer of my own knowledge. I think most of the agents were working by the year—nor do I know what their annual compensation was.

Q. 7. State when after the passage of the act by Congress the claim in question was taken up for examination in your office.

A. I cannot state the date without reference to the records of the office.

Q. 8. State how long it was from the time the examination of this claim commenced in your office to the time of its final allowance and payment.

A. This claim was paid by installments, according to the best of my recollection, and the date of each can only be obtained from the records.

Q. 9. State whether or not the claims you have spoken of were from 10 to 50 per cent. was allowed for their collection were of similar character to this in any respect.

A. All claims against the government are of the same general character—being for services rendered, materials furnished, property lost or destroyed by the government, and all of them are under laws existing at the time authorizing the examination, adjustment and settlement of such claims.

Q. Were these the claims of private parties?

A. Yes, of private parties or corporations.

Q. Was the compensation of agents for the collection of such claims regulated by the contract with the parties?

A. Yes, in all cases.

Q. State whether or not, after the passage of the act of Congress, the defendant was not certain to be successful in collecting such amounts, or such proportion of this claim, as the State of Missouri could, by proper vouchers and evidence, be shown to be entitled to.

A. Certainly, the State of Missouri, under the law, would be so entitled.

RE-EXAMINATION.

The witness in answer to the question of the defendant's counsel says:

The Governor of the State, as chief executive officer of a State, is always recognised by the Treasury Department as the representative of the State in all financial transactions, unless by act of the State Legislature some other officer is especially designated for that purpose. The accounting officer of the Treasury assumes in all cases to allow or disallow the various vouchers composing the claims, regardless of the action previously had upon them by the commissioners appointed by the President to originally examine the claim under the law.

(Signed)

JOHN WILSON.

I, John F. Callan, Commissioner of Missouri, do hereby certify that John Wilson, the deponent, whose place of residence is Chicago, Illinois (now temporarily in Washington, D. C.), was by me sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, and that his deposition was reduced to writing and subscribed by him in my presence on the 24th day of January, 1870, between the hours of 8 o'clock A. M., and six o'clock P. M., at Washington City, D. C., at the office of Sanborn & King, No. 344, Pennsylvania Avenue.

[L. S.]

(Signed) JOHN F. CALLAN, Commissioner for Missouri.

And there being no farther witnesses present, the commission adjourned till 25th inst.

JANUARY 25, 1870.

Alpheus B. Williams, of lawful age, being duly sworn and examined on the part of the defendant, deposeth and said as follows:

My name is Alpheus S. Williams. My age is 59 years. My residence is Detroit, Michigan, and my profession a lawyer. In the year 1866, I was an officer of volunteer, U. S. A., a Major General, and in July, 1866, I was appointed by the President one of the commissioners to examine and adjust the claim of the State of Missouri against the United States under the act of April 17, 1866. I entered upon the discharge of the latter duties the latter part of July, 1866, and was occupied therein constantly until the middle of December, 1866. The State was represented before the commission by the defendant, John B. Gray; the claim amounted to over seven millions of dollars, and was made up of various and voluminous vouchers, ranging in an amount from fifty to one thousand of dollars, and they were for enrolling, equipping, arming and subsisting a very large number of troops called into service by the State of Missouri at various times during the war. These claims were presented to us by this defendant in a very systematical and methodical manner, admirably arranged by companies, regiments, troops, etc., by means of which we were enabled to complete our examination of the claims much sooner than we could have otherwise done. All of these vouchers we had to examine and stamp as allowed or disallowed. The defendant furnished a good deal of evidence outside of the vouchers themselves in support thereof. The testimony offered and taken was very voluminous. The defendant was in constant attendance upon the commissioners, and very industrious and active towards pushing matters along. He also employed a large clerical force to aid in the examination of the claims. The United States furnished the commissioners only one clerk, and if the commissioners had to depend upon his assistance they would probably have been occupied over a year in their investigations. This time was abridged by the assistance furnished by the defendant to the extent above indicated and by the very systematic mode in which the claims were presented to the commissioners by the defendant. The commissioners were kept constantly employed by the defendant and his assistants so as to be able to be in session through the day and often in the evening also. The defendant appeared to be fully informed with relation to these claims, and the evidence required to sustain them. He was of very important service to the commission in the discharge of their duties. No one not as familiar as was the defendant with the condition of these claims could have rendered the services in their investigations that he did. He seemed to be fully familiar with everything necessary as to their origin—United States officers under whose authority these troops were called out. He also presented much oral testimony in support of this claim. I have always considered his services in this matter as of the greatest value to the State, and I do not know how we should have performed our duties in the matter without his aid and assistance. Immediately after entering upon the duties of commissioner I was appointed Minister Resident to the Republic of Salvador, with instructions to proceed at once to that post of duty, and finding that my leaving would break up the commission I consented to remain upon it at the request of the defendant, and by permission of the State Department until December, the same year. Several hundred thousand dollars of these claims were suspended by the first examination of the commissioners, which were subsequently allowed by the commissioners, and these allowances were secured by representations and explanations made by this defendant, and upon proofs furnished by him, which, in my opinion, could not have been furnished by persons less familiar with their origin and history than was this defendant. I have no doubt that the State of Missouri saved several hundred thousand dollars by the defendant's services in the manner I have indicated above. I have no personal knowledge of this defendant's services before Congress prior to the session of the commission or subsequently before the accounting officers of the Treasury whose duty it was under the law to review the action of the commission.

(Signed)

A. S. WILLIAMS.

I, John F. Callan, a Commissioner for Missouri, do hereby certify that Alpheus S. Williams, the deponent, whose place of residence is Detroit, Michigan, was by me sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, that his deposition was reduced to writing by me, and by him subscribed in my presence, on the 25th day of January, 1870, between the hours of 8 o'clock A. M. and 6 o'clock P. M., at the office of Sanborn & King, in the City of Washington, D. C., No. 344 Pennsylvania Avenue.

(Signed)

JOHN F. CALLAN,

[L. S.]

Commissioner for Missouri.

And at the same time and place,
Rufus L. B. Clark, a witness of lawful age, being sworn and examined on the part of the defendant, deposeth and saith as follows:

My name is Rufus L. B. Clark. My age is 50 years. My occupation is Examiner-in-chief of the U. S. Patent Office. My profession a lawyer, and my residence now in the City of Washington, D. C. In 1867 I was in charge of special claims in the Second Comptroller's Office of the U. S. Treasury, where I was called upon to examine and pass upon the war claim of the State of Missouri, presented under the act of 17th April, 1866. It was made a special matter, at the request of the defendant (General John B. Gray), who was acting as agent of the State of Missouri, and was directed by the Second Comptroller to give it immediate and prompt attention, and for that purpose to go to the Third Auditor's Office and examine divisions of the account as they were passing through that office. I did so, acting in concert with Mr. Vinson, who had charge of the claim in the Third Auditor's Office. I first knew the defendant's connection with the claim some time in the winter early in 1867. I know that he continued to give his attention to the settlement of the claim, furnishing explanations and information required by the office during the time the settlement was going on, and was settled in installments, the last installment being allowed and paid some time in the fall of 1867, and there was yet quite a large amount left on the difference sheet—a large portion open for further explanation and proofs, as suspended claims. This, I understood was afterwards settled by special settlement with the Secretary of the Treasury, by compromise effected by this defendant. Of this, however, I have no personal knowledge. During the settlement there was some special matters came up, requiring this defendant's attention, and which resulted in their settlement very beneficial to the State. One was in regard to the allowance of the drawback provided

by law of 15 per cent. upon the State's portion of the U. S. direct tax of 1861; the commissioners who originally examined the claims having held that the State was not entitled to the drawback, but that the full amount of the tax should be deducted from the amount found due the State on the war claim. The defendant argued the question before the Treasury Department, and on the ground which he established, that the State had expended and advanced for the benefit of the United States an amount equal to the proportion of the direct tax within the time provided by law allowing the drawback. He procured a revision of the decision of the commissioners, and the State was allowed the drawback. Another matter which came up and required a good deal of attention and labor on the part of the defendant, was a claim made by the Secretary of the Interior for interest due on the State bonds of Missouri held in the Indian Bureau. The Secretary of the Interior claimed interest upon defaulting interest, and the question was also settled in favor of the State on arguments and statements made by this defendant, and for reasons similar to those given for allowing the drawback, namely: that the United States was actually indebted to the State at the time the coupons fell due, and also that the same rule which the government applied to her own indebtedness (not allowing interest thereon) should apply to the indebtedness of the State. There were also many other questions coming up in this case, all of which the defendant settled to the interest of the State of Missouri. I was also for a long time in charge of the settlement of State war claims, and became acquainted with the history of the claims of most of the States, and of their manner of being prepared and presented, and it is my opinion that the claim of Missouri was more thoroughly prepared in its vouchers and arrangements, and more ably presented and prosecuted than that of any State of which I have a knowledge. Many of those war claims are yet lingering, and some of them have been but very recently closed, and all of them have large difference sheets standing disallowed or suspended. I further state, by request, that the Second Comptroller's Office is independent of the Third Auditor's Office—claims being first examined and passed upon in the Third Auditor's Office, and then sent to the Second Comptroller's Office for revision, correction and final adjustment. The arrangement by which I supervised the account as it went through the Third Auditor's Office in installments, greatly facilitated the settlement of the claim. The defendant's previous position as Adjutant General of the State of Missouri made him perfectly familiar with all the history and details of the claim, and enabled him to furnish evidence and explanations, and do things in facilitating the settlement of the claims which no other person could have done without the defendant's peculiar advantages.

Cross-examined by the attorney for plaintiff, the witness answers:

Q. Have you any knowledge as to whether or not there were persons other than the defendant who had similar acquaintance with the claim?

A. I have no personal knowledge regarding it.

Q. State whether or not the defendant in this case, during the examination of this claim, was engaged in the prosecution of other claims, or confined himself strictly to this one?

A. I know of no other claim which the defendant was prosecuting at the time, but he gave his pertinacious and assiduous attention to this claim.

(Signed,)

R. L. B. CLARKE,

I, John F. Callan, a Commissioner of the State of Missouri, do hereby certify that Rufus L. B. Clarke, whose place of residence is Washington, D. C., was by me sworn to testify the whole truth of his knowledge touching the matters in controversy in the cause aforesaid, and that this deposition was reduced to writing by me, and signed by him in my presence on the 25th day of January, A. D. 1870., between the hours of 8 o'clock A. M., and 6 o'clock P. M., at the office of Sanborn & King, in the City of Washington, D. C., No. 344, Pennsylvania Avenue.

(Signed,)

JOHN F. CALLAN,

Commissioner for Missouri.

[L. S.]

Commissioner's fees for the above testimony, sixty dollars, paid by the defendant.

(Signed,)

JOHN F. CALLAN,

Commissioner for Missouri.

(COPY.)

St. Louis, July 15, 1869.

Deposition of witness, produced, sworn and examined, at the Planters' House in the city and county of St. Louis and State of Missouri, before me the undersigned, Arthur J. Barnes, a Notary Public, in and for the county of St. Louis and State of Missouri, in a certain cause now pending in the St. Louis Circuit Court, State of Missouri, between the State of Missouri, plaintiff, and John B. Gray, defendant, by consent on the part of defendant.

Henry T. Blow, of lawful age, being sworn and examined on the part of defendant deposeth and saith:

DIRECT EXAMINATION BY GEN. HARDING.

Q. You have been a member of Congress. Please state during what years?

A. I was in Congress first in '63 and up to March '67.

Q. Were you a member of the Committee on Ways and Means, and a member of the Committee on Appropriations?

A. Yes sir.

Q. During that time, did you see John B. Gray in Washington?

A. Yes sir.

Q. He was then attending to the claim of the State of Missouri against the United States for disbursement of Moneys expended during the war, was he not?

A. Yes sir.

Q. State what you know in regard to Gen. Gray's services in that respect?

A. I can hardly do justice to Gen. Gray to-night. I certainly felt when I was called upon that I would give the matter some thought, and try to fix upon the main points in the case, though really in anything I can say to-night, I can hardly give him justice. I can probably state some few things that will give an idea of the relation of things there. At the time that he came there as a special agent of the State, an effort had been made, by appointing a Special Committee of all the States on the claims of all the States. It was generally considered a move antagonistical to the big claim of the State of Missouri. The General came there about that, and met with this thing. I attended to the business before that time. We made a claim for two years or a year before. I am obliged to state that I believe the representatives from Missouri were either indifferent to the matter, or that it was considered a hopeless case. I am sorry to have to state that, because I have heard that they were interested a good deal upon the thing, but this is my recollection. I recollect distinctly that Gen. Gray came to me and told me that he could not get anybody from the State to take any interest in it. I am very sorry to state that. At his earnest solicitation, because I knew the State was entitled to the money, that it was a just and righteous claim—at his request, and because I thought I was doing my duty also as a member, we went together to the members.

Q. The matter came up in your Committee of Appropriation, did it not?

A. Not at the time I am speaking of at all. It never came up there at all.

Q. After the bill was passed?

A. The matter was fully explained by Gen. Gray to a very large majority of the members of the House. I assisted him until I found that he was getting the confidence of the members—that they understood that he was thoroughly conversant with all the facts from his position in the State, and that the man was simply getting justice done the State. Finally, he announced to me that he thought they were ready to take action upon it. The members met at my rooms; the members of the House of Representatives and some Senators. The bill was discussed, and there was a general feeling among the members that it was almost useless to try to pass the bill. But it was finally decided that the bill should be called up and referred to the Committee on Appropriations, of which I was a member, and Thaddeus Stevens, chairman. After the consultation with Mr. Stevens, we fixed a day for the committee to take it into consideration. I saw the majority of the committee, got Mr. Stevens' active support, told Gen. Gray to go before the committee, and said to him. I recollect that distinctly: "Make a clear and unvarnished statement of the whole thing, and I will have the bill passed in the committee before you." He did make that statement. The bill was passed by the committee. Gen. Gray was in the room at the time. I felt some anxiety about the bill after that because the work had been done by the members. Every man well understood that a bill of that magnitude could not have been passed without it had been explained; that it was a just bill, and that the State of Missouri had a right to the amount. I can only say that in regard to this matter, that I believe that bill could have been passed probably for four millions and a half dollars, and I believe his coming there increased the claim, and it was finally passed for six millions.

Q. Did either of the members of Congress possess the knowledge of the details of this claim that Gen. Gray possessed?

A. No sir. The members of Congress are very much harassed in Washington. They are like men generally, very few of them that will go down to minute details.

Q. Could any member of Congress, without neglecting his other Congressional duties, have made an explanation to the different committees?

A. I stated that the amount of information possessed by them was certainly very meagre, in my own opinion. I don't know how far they could have obtained the knowledge. There were able men there that could have done the work, but I don't think they were disposed to do it.

Q. Do you know anything about Gen. Gray's labor subsequent to the passage of the bill?

A. Yes, the nature of the act itself required an enormous amount of detailed labor. The detail work of it would have been impossible to do except by a man that was familiar with the formation of the debt. He knew all about this, and was competent to do the work, and it would have been very hard to get anybody else to do it better.

Q. It is stated that Gen. Gray received as compensation \$98,000, or something in that neighborhood. What is your idea in regard to the reasonableness of that, for commissions and expenses?

A. My idea is this. I believe they could have got twenty men who would have agreed to collect it for one-fourth or one-fifth of the sum, but I don't believe they would ever have collected it at all, or even passed. I considered Gen. Gray eminently qualified by his position in the State of Missouri and knowledge of the debt to represent the State as agent.

Q. You have been engaged in large commercial transactions?

A. Yes sir.

Q. Give us your opinion as to whether the one and one-half per cent. allowed Gen. Gray was reasonable or unreasonable considering the circumstances?

A. I have probably a little different idea of this. I don't think this is a regular transaction at all. I think it is an extraordinary transaction, in which an impoverished State, almost in bankruptcy would have been glad to have voted through her Legislature any sum to get this money, conditioned upon the passage of the bill. If it had been a regular transaction the ordinary commission of one and one-half or two per cent. would have been ample. But this was an extraordinary transaction of great doubt, and they were just as ready to vote against it as to vote for it. Without his aid the State might have realized \$4,000,000. I give no opinion upon the matter in this question as to the propriety of the operation itself. I am only speaking in answer to your question.

Q. Was there any general law under which this claim could have been settled, or did it require a special act?

A. It required a special act.

CROSS EXAMINATION BY GENERAL WINGATE.

Q. Were you not, as a Representative in Congress for Missouri, aside from any information in relation thereto acquired from the defendant, well aware that the State of Missouri was meritoriously entitled to be reimbursed by the United States for the moneys expended by the State for the United State in enrolling, equipping and provisioning the militia forces in suppressing the rebellion?

A. Yes. I advocated a bill in the previous Congress, but without the necessary information, as you will see in the report for about two-thirds of that amount, about \$4,000,000. I had all the information that it was possible for any man to get, for it was in my charge. I passed the same bill before the same committee two years before for not quite two-thirds of the amount.

Q. Did you not, without any solicitation, importunities, assistance or arguments of the defendant, feel it to be incumbent upon you, as a Representative from Missouri, to secure the passage of a law by Congress to reimburse her for moneys expended in aid of suppressing the rebellion, and was not such feelings common among your colleagues in Congress, and did not you and they labor assiduously to that end, aside from any influence exercised on the part of the defendant?

A. My general statement is the best answer that I can make to all that, except I will add this: After the bill passed the Committee on Appropriations, business called me to St. Louis. I always thought with Mr. Stephens, that in the final passage of the bill through the House, that the Representatives remaining there from the State of Missouri did their entire duty; they then became satisfied. They were filled with the feelings that the bill could be passed, and with the services of General Gray they rendered excellent service. This was my own opinion, when I returned to Washington, and I noticed the opinion of Mr. Stephens, published in the daily papers of St. Louis.

Q. I am not asking you what you heard or what was published.

A. You asked the question, and I answered it.

Q. I don't ask you what others said to you, or what was put upon paper. I would like to have an answer to the question. I merely asked you whether you and those associated with you felt it to be your duty?

A. I understand your question thoroughly, and the only difference is, you don't consider my answer an answer, and I do. That is a difference of opinion between you and me.

Q. I have asked you to give me your opinion whether you thought it to be your duty, aside from any influence exercised by Gen. Gray, to secure the passage of this bill?

General Harding: He states that after the bill got into shape, the members did work.

Q. Do you not believe that you, and those associated with you as members in Congress from Missouri, could have secured the passage of the act which was passed to reimburse the State for moneys expended by her to aid in suppressing the rebellion without any interposition on the part of the defendant?

A. I don't think it, sir.

Q. Was it not a matter of public notoriety, and did you not know, aside from any knowledge or information imparted to you by the defendant, that the State of Missouri has expended a very large sum of money in enrolling, equipping and provisioning militia to aid in suppression of the rebellion?

A. Yes. From the best information that I had, I felt certain that they had expended about four millions.

Q. Speaking within the limits of your own personal knowledge, will you please state what the defendant did in furtherance of the passage of said act?

A. Yes, his essential services consisted in making the acquaintance of the members of Congress, and after getting endorsements, presenting the claim to them in all its details, and the manner in which the business was managed, and the correctness of the details in the management, and the right that Missouri, had to claim, as we thought, a larger sum of money even, than the members of Congress had asked for, which was \$4,000,000, waiving the amount altogether, making a strong argument that he wanted nothing which could not be proven by vouchers to be due. I think that was a strong point.

Q. Did he at any time during the pendency of said act before Congress, and if more than once, how often appeal to you, solicit, or in any other way seek your co-operation, aid, or assistance, or the co-operation, aid or assistance of any other individual member of Congress in furtherance of the passage of said act, or the passage of any other act for a like purpose?

A. I suppose Gen. Gray called on me about fifty times. I went with him to members of Congress and to other parties, and to members' rooms, nights and mornings, through mud and rain, and at all times and under all circumstances.

Q. For what purpose?

A. To try to get these men to take hold of this bill, to listen to it, and understand the justness of the claim, in order to get some friends in Congress to help us. You must understand that they had made up their minds, as I believe it, to kill the bill; they began to get tired of giving so much money.

Q. To solicit support from them for the passage of this act?

A. No sir; it was to get them to understand the justness of this bill, and upon that justness to make friends and advocates of the bill. We were weak in Congress: we were not strong; the State had only nine representatives; we had to have a just claim and a very strong claim in order to get the bill through. There was no doubt about the justness of the United States reimbursing the State for moneys expended in the suppression of the rebellion. I believe I maintained that fact when the bill was introduced—when I advocated a bill for \$4,000,000.

Q. Through whose influence were you brought to support this measure?

A. I have already told you that I investigated the matter with Gen. Gray. He came on with full information to satisfy me. I stated that in the first place; that he satisfied me of the justness of the thing—satisfied me that the amount was more than we first supposed.

Q. Did the defendant cause or procure an arrangement for, or attempt to have any meeting of the members in Congress from this State on the subject of said act before the passage thereof, and if so, how often?

A. We only met once that I recollect; it was in reference to the bill; yes, in reference to the bill, and the committee.

Q. Did he, and if so, how often, attend and appear before such meeting, and for what purpose?

A. For the purpose of counseling with them as representatives, and answering all questions in regard to the bill.

Q. The first branch of the question is whether he appeared before them?

A. Yes sir.

Q. And whether often or not?

A. There was only one meeting for the reference of the bill. I have already stated that after the bill was referred, and before the bill was passed, I left for the State of Missouri.

Q. What did the defendant do, say, or what arguments offer in the furtherance of the passage of said act, or to secure the object, any or all that said act proposed?

A. That would be a long story; it would be a severe tax on my recollection to state the whole of it. He advocated the claim before us very ably, and gave us proofs of the increasing amounts to which the State is entitled, which I didn't think would be allowed. You must understand that this thing was based upon this idea, that the State of Missouri had expended certain moneys; this bill was passed, providing that in case these moneys were spent according to a certain order, that then the United States would pay all such amounts as were expended, and that the whole amounted up under the explanations and vouchers of Gen. Gray, from four millions of dollars to six millions and over.

Q. Did the defendant at the time influence or attend any meeting of any committee raised by Congress, for the purpose of considering or reporting upon the merits or subject of said acts?

A. No committee that I know of, except the one I have mentioned.

Q. Did the defendant persuade or attempt to persuade, by anything done, said, or reason given by him to any member of Congress, to vote for or give their support to the passage of said act, or any other like act of Congress, or any other committee to report favorably thereon?

A. Yes, he was pleading all the time.

Q. In speaking of the value of this defendant's services, do you rely for your estimate upon matters within your knowledge, or do you rely partly upon facts known to you personally, and partly upon what you suppose?

A. On my own knowledge.

Q. What services in connection with the passage of said act, and the allowance and payment of said claims by the United States, do you know of your own knowledge of his rendering?

A. I don't know anything about it. Only the general idea that he was giving it constant attention. That is all, sir.

Q. Speaking from your own knowledge, what moneys were expended by him, touching the same. Who to, and how much?

A. I do not know anything about it, sir.

Q. What would be the reasonable expenses per week of one gentleman living in Washington in the years '65, '66, '67 and '68, and what was the pay of members during said years?

A. The pay of members, that is, mileage and one thing and another, is a matter that I never gave the least thought to. I could not tell you. It never supported me. The exact amounts of the little perquisites—knives, paper, and one thing and another—I never kept in my mind. The expenses I don't know. I did not live hardly like anybody else. I had a house and boarded at a restaurant, and had meals at home. Board is about \$17 or \$18 a week at the hotel without lodging. When I staid at the hotels I generally paid about \$50 a week.

Q. You lived pretty high.

A. No, sir. I know plenty of gentlemen that paid that. I think Mr. Griswold paid \$18 a day for his rooms and board. I know Mr. Morgan paid \$30 a day while he was there. The extras cost a great deal in Washington. I don't know whether you have ever been there.

Q. I want to call your attention to this question here, because there are some dates that I want to fix. When was the subject for reimbursing the plaintiff for moneys expended in aid of suppressing the rebellion first brought to the attention of Congress?

A. In 1864, I think.

Q. In what capacity was the defendant then acting, and what position did he then hold under the laws of Missouri?

A. My impression is that I had charge of the bill. He was Adjutant General of Missouri when the bill was presented.

Q. Did he, while acting as Adjutant General of the State, under Governor Williard P. Hall, furnish to members in Congress, or some of them, the nature of the debt which the State of Missouri claimed to be reimbursed for on account of moneys expended by her in enrolling, equipping, and provisioning the militia forces to aid in the suppression of the rebellion?

A. Yes. I think there was some general, but not special and satisfactory information at that time.

Q. Was not a bill introduced into the Senate of the United States looking to that object while the defendant was acting as Adjutant General, as you have stated?

A. Yes, sir.

Q. Was not the subject of reimbursing the State of Missouri as you have stated, brought to the attention of Congress before Governor Fletcher became Governor of Missouri?

A. Yes, sir.

Q. If so, by whom?

- A. It was introduced into the Senate. I don't know by whom.
- Q. How many bills were introduced into Congress for the purpose of reimbursing the State on account of these expenditures?
- A. Only one, that I recollect.
- Q. Was there any introduced by Senator Henderson into the Senate of the United States?
- A. That was the one I alluded to. I mean only one before this was passed.
- Q. That bill passed the Senate of the United States?
- A. Yes, sir. But was lost in the House. I had charge of it.
- Q. Was General Gray, the defendant, there?
- A. No, sir.
- Q. Do you know whether or not he had an interview with Senator Henderson in relation to that bill?
- A. He had not, sir.
- Q. At what time was the next bill introduced?
- A. I don't recollect the particular time.
- Q. Was there no other bill introduced?
- A. This bill finally passed.
- Q. Where did that bill originate, in the House?
- A. It originated in the Senate.
- Q. Do you know who introduced that bill?
- A. I think it was introduced by Senator Henderson.
- Q. Do you recollect the time of the introduction of that bill?
- A. It was early in the session. I don't recollect when. It must have been in the session of '65 and '66.
- Q. Do you know whether the defendant was still acting as Adjutant General of the State at the time of the introduction of that bill?
- A. My impression is that he was not. I don't recollect anything about it. I had nothing to do with the case, and didn't burden my mind with it.
- Q. You speak of the first bill being introduced to the amount of \$4,000,000?
- A. About \$4,000,000.
- Q. At the time of the introduction of the second bill that you speak of, hadn't the expenditures by the State been increased?
- A. I am not able to answer that question by any information in my possession.
- Q. Did the defendant exhibit or show to you, as member of Congress, or to any other member of Congress, to your knowledge, any vouchers to the State for any such expenditures as you have spoken of?
- A. We spoke about the character of the vouchers. He spoke from the character of the proofs in possession of the State.
- Q. Are you sufficiently familiar with the transaction of the business of the Adjutant General's office to know whether or not that all the expenditures by the State for which she claimed to be reimbursed were evidenced by vouchers on file in the Adjutant General's office of the State?
- A. All that was necessary was that these vouchers should be satisfactory to the Departments; therefore, you know, I had very little interest in the theory of what did constitute a voucher.
- Q. I was asking you whether you had any knowledge as to the manner in which the vouchers were kept by the State for the amount of these expenditures on the part of the State. In the passage of that act which was passed to reimburse the State for those expenditures, did you, as a member of Congress, and other members of Congress, rely upon the details furnished by any one, or did you rely upon the justice and equity of the claim?
- A. We relied on what I have stated. The difference was, that we could not explain these details in connection with the bill in such a manner as to make them sufficiently clear for men to legislate upon favorably, therefore they took advantage of that, and laid the bill over. Everything you have asked in regard to the vouchers, I suppose, affected the members. When they found that the whole thing had been done in accordance with the laws, of course they were more or less favorably affected by that.
- Q. You knew, as an individual member from the State of Missouri, that the State had expended large sums of money?
- A. No, sir. I advocated that bill as I stated.
- Q. Did you not say in the House that this was a just and equitable claim?
- A. Certainly. I don't think I proved it. I did to the best of my ability, but I didn't have sufficient proofs.
- Q. Did you participate in the passage of the act that was passed?
- A. No, sir. I was not there.
- Q. You have reference to the one that was introduced into the Senate, and the one that failed?
- A. Yes, sir. I was not in at the passage of the act. I was satisfied that everybody else was satisfied with it, and then I left for home.
- Q. Would not an exhibition, then, of the vouchers on file in the Adjutant General's office of the State have been sufficient to have satisfied the members that the money had been expended?
- A. I have stated everything to give you an idea of all I know. I can't answer these questions that don't amount to anything at all. I can tell you about the passage of the two bills—the passage of this bill through the House and Senate, and through my committee.
- Q. For what length of time was General Gray, to your personal knowledge, engaged there in Washington with the members of Congress to satisfy them about this claim?
- A. He was there from early in 1866 up to the passage of the act.
- Q. The act was passed in April, 1866?
- A. Yes, sir.
- Q. I would ask you to state whether, in your opinion, for such services as you know to have been rendered, of your own knowledge, by the defendant, whether \$98,000 and some odd dollars would not be an extravagant amount?
- A. I think I have answered the question. I have told you all I know about it.

I, Arthur J. Barnes, a Notary Public in and for the county of St. Louis and State of Missouri, do hereby certify that Henry T. Blow, the deponent, whose residence is St. Louis, in the State of Missouri, was by me sworn to testify the whole truth of his knowledge touching the matter in controversy in the cause aforesaid, and that his deposition was reduced to writing by me, and by consent the signature was waived, on the 15th day of July A. D. 1869, at St. Louis, in the county of St. Louis and State of Missouri.

(Signed,)

ARTHUR J. BARNES,
Notary Public.

[SEAL.]

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, February 16, 1871. }

To the Honorable Speaker of the House of Representatives:

I have the honor to inform you that I have approved the following bills of the House:

An act to appoint commissioners and authorize them to receive and expend certain moneys heretofore appropriated for the improvement of Current river.

An act to provide for appeals and writs of error in certain cases, and to provide for the safe custody of the records, papers and proceedings of the district courts of this State.

Concurrent resolution to allow an additional clerk in the State Auditor's office.

B. GRATZ BROWN.

Which was read.

On motion, leave of absence was granted to Messrs. Wilkes, Pauley and Fassen for three days.

The following communications were received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House that the following bills have been introduced into and passed the Senate:

Senate bill No. 104, entitled

An act to amend an act entitled an act extending the authority and jurisdiction of the Board of Health of the City of St. Louis over the district of country outside of said city to the extent of three miles from the corporate limits thereof, approved March 14, 1870;

Senate bill No. 105, entitled

An act regulating the State Sinking Fund;

Also, Senate concurrent resolution No. 24, entitled

Requesting the State Board of Immigration to report to this General Assembly;

Also that the Senate has taken up

House bill No. 96, entitled

An act to provide for appeals and writs of error in civil cases, and concerning practice in the Supreme Court, and repealing chapter one hundred and thirty-five of the General Statutes, and

An act to amend section nine of chapter one hundred and seventy-two of title thirty-four of the General Statutes of Missouri concerning practice in civil cases, approved January 24, 1868,

And passed the same with the inclosed amendment;

In all of which the concurrence of the House is requested.

Also House bill No. 70, entitled

An act to amend section one of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24, 1870;

And House concurrent resolution No. 23, entitled
For the transfer of arms,
Have been taken up and passed by the Senate.
In which the concurrence of the House is respectfully requested.
Which were read.

On motion of Mr. Claiborne,
The House went into Committee of the Whole to resume the consideration of House bill No. 197.

Mr. Knott in the chair.

Mr. Knott, Chairman of the Committee of the Whole, stated that the business before the committee had been transacted, and that he would vacate the chair, and the committee should rise.

Speaker Wilson took the chair and called the House to order.

Mr. Knott, the chairman of the Committee of the Whole, made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration

House bill No. 197,

Have instructed me to report the bill back to the House with the accompanying amendments, and recommend its passage.

W. J. KNOTT, *Chairman.*

Which was read.

House bill No. 197, entitled

An act to amend sections six, thirteen, fourteen, seventeen and eighteen of an act entitled "an act to provide for the reorganization and support of public schools, and to revise and amend laws relating thereto, and repeal certain acts and parts of acts," approved March 19, 1870,

Was taken up.

The following amendments as recommended by the committee:

Section one. In fourth line after words "power to erect," strike out the words "when they deem necessary," and insert the words "whenever a majority of the qualified voters of any subdistrict present and voting, shall so determine at the annual meeting for the electing of school directors."

Amend section one, line eight, printed bill, by striking out the words "majority" and insert in lieu the words "two-thirds."

Amend section one by adding after the word "acts," line three, printed bill, the words "approved March 19, 1870."

Amend section two, line three, printed bill, by striking out the words "second and and third," and insert in lieu "second and fourth."

Amend section two by striking out the words "noting them separately" in the first part of the fourth line, and inserting the same after the words "subdistrict" in the fifth line.

Amend by adding these words in line six after the words "thereof," "giving name of parent or guardian of such children."

Which were read and agreed to.

On motion of Mr. Claiborne,

The rules were suspended, the bill as amended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Ballard, Barrett, Beltrami, Bennett, Bittinger, Bohn, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burton, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Sharp, Shewalter, Shields, Smith, Sorrell, Steele, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—89.

NOES—Messrs. Abbee, Asher, Hooper, McMillan, Schooley, Scoville and Shafer—7.

Absent with leave—Messrs. Auer, Barnes, Bass, Bell, Borg, Bosbyshell, Bulkley, Burrows, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, Gratiot, Gray, Hammett, Hickman, Koch, Leach, Logan, Ming, Moore of Livingston, Mortell, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Rolston, Sides, Sloan, Stancil, Stone, Von Kochtitzky, Walker, White of Texas, Wilkes and Williams of Morgan—41.

Mr. Mullings moved to reconsider the vote by which the bill passed.

Mr. Mullings moved to lay his motion to reconsider on the table
Which was agreed to.

On motion of Mr. Martin of Caldwell,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Brown of Howard moved that the regular order be suspended and the Committee on Local Bills be allowed to report;
Which was agreed to.

Mr. Brown of Howard, of the Committee on Local Bills submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the county courts of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county,

Have had the same under consideration and beg leave to report it back to the House, with a substitute therefor, and recommend that the substitute do pass.

Which was read.

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county,

Was taken up, together with an amendment by way of substitute as recommended by the committee;

Which was read, and,

On motion of Mr. Latshaw,

Was referred to the Committee on Judiciary.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 117, entitled

An act supplementary to an act entitled an act to incorporate the city of Macon, and for other purposes, approved December 31, 1859, and acts amendatory thereof and supplemental thereto,

Have had the same under consideration, and have instructed me to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 117, entitled

An act supplemental to an act entitled an act to incorporate the city of Macon, and for other purposes, approved December 31, 1859, and acts amendatory thereof and supplementary thereto,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Raney, Randall, Ray, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—84.

NOES—None.

Absent—None.

Absent with leave—Messrs. Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Clark, Coleman, Dod, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Robinson, Ralston, Schooley, Stan-
cil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Morgan, and Williams of Audrain—51.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

On motion, leave of absence was granted to Messrs. Steele, Edens and Samuel, for one day.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 211, entitled

An act to establish a probate court in Stone county;

Beg leave to report that they have had the same under consideration, and herewith return it to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 211, entitled

An act to establish a probate court in Stone county,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—84.

NOES—None.

Absent—None.

Absent with leave—Messrs. Auer, Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Buller, Burrows, Burton, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach,

Logan, McAllister, McPike, Ming, Moore of Livingston, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Schooley, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—51.

Sick—Messrs. Gratiot, and O'Bannan of Dallas—2.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Wielandy, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred

House bill No. 190, entitled

An act to restrain stock from running at large in such counties as may adopt the same;

Beg leave to report that they have had said bill under consideration, and your committee recommend that said bill do pass. Your committee also recommend that 200 copies of said bill be printed for the use of the House.

Which was read.

House bill No. 190, entitled

An act to restrain stock from running at large in such counties as may adopt the same,

Was taken up, and 200 copies ordered printed.

Mr. Sorrell, from the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: The Committee on Permanent Seat of Government, to whom was referred

Senate bill No. 25, entitled

An act to amend section one of chapter twenty-one of the General Statutes of Missouri, in relation to the Commissioner of the Permanent Seat of Government;

Report that they have carefully examined the same, and herewith return it with the recommendation that it do not pass;

Which was read.

Senate bill No. 25, entitled

An act to amend section one of chapter twenty-one of the General Statutes of Missouri,

Was taken up, read, and on motion,

Laid over informally.

Mr. Brown of Monroe, of the Committee on Local Bills submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 183, entitled

An act to amend an act to incorporate the city of LaGrange, approved February 24, 1853;

Beg leave to report that they have the same under consideration, and return it with the recommendation that the bill do pass;

Which was read.

House bill No. 183, entitled

An act to amend an act entitled an act to incorporate the city of LaGrange, approved February 24, 1853,

Was taken up, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Edwards, Girdner, Goodson, Haas, Hardin, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Raney, Randall, Ray, Robinson, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—83.

NOES—None.

Absent with leave—Messrs. Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Bunch, Burton, Chilton, Coleman, Dean, Dolle, Dolman, Edens, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Harmon, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McMillan, McPike, Ming, Moore of Livingston, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Samuel, Schooley, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—50.

Sick—Messrs. Clark, Gratiot and O'Bannan of Dallas—3.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Shields called for the reading of the message of Governor Brown, and moved that five hundred copies be printed for the use of the House;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 146, entitled

An act to amend section six of an act entitled an act to amend an act entitled an act to establish a court of common pleas, with probate jurisdiction in the county of Jasper, and approved March 4, 1869, approved February 1, 1870;

Beg leave to report that they have had the same under consideration, and herewith return it to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 146, entitled

An act to amend section six of an act entitled an act to amend an act entitled an act to establish a court of common pleas with probate jurisdiction in the county of Jasper, approved March 4, 1869,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Scoville, Sharp, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—83.

NOES—None.

Absent with leave—Messrs. Abington, Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Claiborne, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Sanford, Schooley, Shafer, Shewalter, Shields, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—52.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 233, entitled

An act to authorize the trustees of the Presbyterian church at Lee's Summit, in Jackson county, to sell and convey certain real estate,

Beg leave to report that they have had the same under consideration, and report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 233, entitled

An act to authorize the trustees of the Presbyterian church at Lee's Summit, in Jackson county, to sell and convey certain real estate,

Was taken up, and laid over informally.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, 1870,

Beg leave to report that they have had the same under consideration, and report it back to the House with the substitute therefor, with the recommendation that the substitute do pass;

Which was read.

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, 1870,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Lamson, Langston, Latshaw, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Sorrell, Stancil, Squires, Turner, Wielandy, Wight of Vernon, Worden and Mr. Speaker—81.

NOES—Messrs. Kost, Leeper, Sanford and Smith—4.

Absent with leave—Messrs. Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Clark, Coleman, Dolle, Dolman, Edens, Euhanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McMillan, McPike, Ming, Moore of Livingston, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Schooley, Steel, Stone, Thomas, Van Roden, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—50.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 202, entitled

An act to confer additional civil jurisdiction on the mayor of the city of Waverly,

Beg leave to report that they have had the same under considera-

tion, and herewith return it to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 202, entitled

An act to confer additional civil jurisdiction on the mayor of the city of Waverly,

Was taken up, the rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of St. Louis, Martin of Caldwell, Maupin, Mabrey, McMillan, Miller, Mitchell, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—81.

NOES—None.

Absent—None.

Absent with leave—Messrs. Auer, Bass, Bell, Beltrami, Bohn, Borg, Boshyshell, Bulkley, Burrows, Burton, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Moore of Stone, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Schooley, Stancil, Steele, Thomas, Von Kochtitzky, Walker and White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—51.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 128, entitled

An act to establish a probate court in Perry county,

Have had the same under consideration and beg leave to report it back to the House with a substitute therefor, and recommend that the substitute do pass;

Which was read.

House bill No. 128, entitled

An act to establish a probate court in Perry county,

Was taken up, together with the amendment by way of substitute, as recommended by the committee;

Which was read and agreed to.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kitchen, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrev, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murray, Myers, Neal, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Sanford, Scoville, Sharp, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—87.

NOES—None.

Absent—None.

Absent with leave—Messrs. Bell, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Murphy, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Schooley, Shafer, Shewalter, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—48.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Brown of Monroe moved to reconsider the vote by which the bill passed and to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 194, entitled

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859,

Have had the same under consideration and would respectfully report it back with a substitute therefor, with the recommendation that the substitute do pass;

Which was read.

House bill No. 194, entitled

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859,

Was taken up, together with an amendment by way of substitute, as recommended by the committee;

Which was read and agreed to.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Raney, Randall, Ray, Samuel, Sanford, Scoville, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—83.

Absent with leave—Messrs. Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Coleman, Dent, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Robinson, Rolston, Schooley, Shafer, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—51.

Sick—Messrs. Clark, Gratiot and O'Bannan of Dallas—3.

Mr. Brown of Monroe moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred
House bill No. 94, entitled

An act to repeal an act entitled an act to incorporate the town of Lebanon, approved February 17, 1869,

Have had the same under consideration and return it with the recommendation that the bill do pass;

Which was read.

House bill No. 94, entitled

An act to repeal an act entitled an act to incorporate the town of Lebanon, approved February 17, 1869,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers,

Newman, Norris, Raney, Randall, Ray, Samuel, Sanford, Scoville, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—83.

Absent with leave—Messrs. Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Burrows, Burton, Chilton, Coleman, Dent, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Robinson, Rolston, Schooley, Shafer, Stancil, Steele, Stone, Thomas, Van Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain and Williams of Morgan—51.

Sick—Messrs. Clark, Gratiot and O'Bannon of Dallas—3.

On motion of Mr. Moore of Stone,

House bill No. 211, entitled

An act to establish a probate court in Stone county;

Was taken up, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bunch, Butler, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edens, Edwards, Girdner, Goodson, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Mar in of St. Louis, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Raney, Randall, Ray, Robinson, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—84.

NOES—None.

Absent with leave—Messrs. Auer, Bass, Bell, Beltrami, Bohn, Borg, Bosbyshell, Bulkley, Buller, Burrows, Burton, Chilton, Clark, Coleman, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Gray, Hackman, Hammett, Hickman, Kitchen, Knott, Koch, Leach, Logan, McAllister, McPike, Ming, Moore of Livingston, Neal, O'Bannon of Pettis, Pauley, Pope, Richardson, Rolston, Schooley, Stancil, Steele, Stone, Thomas, Von Kochtitzky, Walker, White of Texas, Wilkes, Williams of Audrain, and Williams of Morgan—51.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Brown of Monroe moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Which was agreed to.

Mr. Colcord presented the following communication from Judge Wilson Primm:

*To the Representatives in the Senate and House of Representatives
of the Legislature from St. Louis county :*

GENTLEMEN: I call your attention to the fact that in regard to change of venue in criminal cases, the law as it stands, permits a judge from whose court a change of venue is taken, to send the case to any circuit he may choose; to send a case from an extreme southern to an extreme northern county, and *vice versa*.

As a case in point, in July last an indictment for murder against one Benjamin Arnold was, on change of venue, sent up from Butler county to this court. After many continuances both for the State and defendant, the indictment was *nolle prossed* by Charles E. Moss, Esq., the prosecuting attorney for Butler county, and the costs taxed against the State for and on account of this unfruitful prosecution amounting to more than sixteen hundred dollars, as you can ascertain by application to the State Auditor, who now has, or will shortly have the bill of costs in his possession.

These are strong reasons why the law should be changed, so as to send such cases, not to a far distant county where the accused is perhaps unknown, has no friend, and consequently cannot procure bail, if the offence be bailable.

Witnesses, too, are not always possessed of the means by which they can pay their traveling expenses for hundreds of miles and their board and lodging in such a city as St. Louis. If they are material witnesses, they have to be attached in cases of non-attendance, and if brought into court by compulsory process, the expense of insuring their attendance is necessarily doubled or trebled to the State, because no court, on requiring such a witness to purge himself of contempt would impose on him the costs of an attachment, when it was apparent that from his poverty, he was unable to comply with or obey its process.

As a matter of justice to the State, I do think that the law should be changed, and brought back to the system which prevailed prior to the revision of 1865. Prior to that time it was the law, that where a change of venue was granted, it should be to an adjoining circuit. This law obviated, to some extent, at least, the injustice, inconvenience and expense to which I have referred. I will further observe to you that by the law as it now stands, there is no change of venue in criminal cases from St. Louis to any other county—there is only a change of tribunal, that is from this court to the criminal court.

You are aware, gentlemen, that this court is occupied without intermission of any account, from the beginning to the end of the year, in the trial of criminal causes originating in St. Louis county, and whilst no change of venue can be taken from St. Louis to any other county, it would seem to me to be but fair that whilst in the interest of the State and of parties accused, the old law should be re-established, an exception should be made that no change of venue in criminal cases should be allowed to St. Louis county. For you all know that the criminal tribunal here always have their hands full, and are more than any others in the State oppressed with labor. I address this communication to Mr. Colcord, with the request that he lay the same before the members of both houses from St. Louis county, and I trust will take such action as the importance of the subject demand.

Which was read and on motion,
Referred to Committee on Judiciary.

On motion of Mr. Colcord,
House bill No. 313, entitled
An act to establish "Waterworks Park" in the city of St. Louis;
Was taken up, and 150 copies ordered printed,

On motion of Mr. Colcord,
House bill No. 316, entitled
An act to provide parks for the city of St. Louis;
Was taken up, and 150 copies ordered printed.

The Speaker announced Mr. Hubbell as a member of the Committee on Insurance, vice Mr. Latshaw, excused.

On motion of Mr. Myers,
The House adjourned until Monday morning at 10 o'clock.

MONDAY, FEBRUARY 20, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Abbington,
The further reading of the journal was dispensed with.

Mr. Hooper offered the following resolution:

Resolved, That the Joint Committee on the Revision of the Revenue Laws be instructed to enquire into the propriety of incorporating therein the following principles:

1st. Annual assessment of all personal property by township assessors, who shall in addition to the assessment of the personal property, assess the value of all improvements made on real estate, within the preceding year, in their respective townships.

2d. The assessment of real estate not oftener than once in five years.

3d. All taxes on personal property to be made a lien on the real estate of the person to whom such personal property is assessed.

4th. All taxes on personal property, in case the party to whom such personal property is assessed owns no real estate, to be collected by township collectors in the township where assessed.

5th. The payment of county collectors for collecting the revenue by salary, in all counties where the assessed value of property shall amount to two millions of dollars or over. The salary to be in proportion to the assessed value of all property in the county, but not to exceed in any case twenty-five hundred dollars per annum;

Which was read and adopted.

Mr. George presented a remonstrance of the citizens of Camden county against the formation of a new county from any portion of Camden county;

Which was read, and, on motion,

Referred to the Committee on County Boundaries.

Mr. Kost presented a petition of the citizens of the counties of Henry and Cass, asking for the formation of a new county to be known as Hart county;

Which was read, and, on motion,

Referred to Committee on County Boundaries.

Mr. Bennett presented a petition in regard to the pay of circuit attorneys;

Which was read, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Worden presented a petition from county of Cass, praying for a law permitting township organization;

Which was read, and, on motion,

Referred to the Committee on Township Organization;

Mr. Worden presented a petition from the citizens of Cass county, remonstrating against the formation of either Richland or Bourbon counties;

Which was read, and, on motion,

Referred to the Committee on County Boundaries.

Mr. Sanford presented a petition praying for an increase of the salary of the circuit judges;

Which was read, and, on motion,

Referred to Committee on Ways and Means.

On motion, leave of absence was granted to Messrs. Burton and Edwards for four days.

Also, to Messrs. Rolston and O'Bannon of Pettis for one day.

Mr. Mullings introduced a bill entitled

"An act to amend an act entitled an act to amend an act to provide for the appointment of a collector of revenue in Greene county;

Which was read the first time, the rules suspended, read the second time, and, on motion.

Referred to the Committee on Local Bills.

Mr. Wielandy introduced a bill entitled

"An act to amend sections two (2) and seven (7), of chapter seventy-eight (.8) of the General Statutes of Missouri, entitled of dram-shop keepers and their licenses, "being sections 2 and 7 of chapter 48, of Wagner's Statutes;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Myers introduced a bill, entitled

"An act prescribing the mode of selecting and summoning jurors for courts of record."

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Howell introduced a bill entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Martin, of St. Louis, introduced a bill, entitled

An act to enable the county court of St. Louis to grant the United States certain real estate, and to provide means for the erection of a court house and city hall by the county and city of St. Louis.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Barrett introduced a bill entitled

An act to amend section thirty-five (35) of an act entitled an act to incorporate the St. Louis and Keokuk Railroad Company, approved February 16, 1857;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Marshall introduced a bill entitled

An act to change the times of holding the probate court of Putnam county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Shields introduced a bill, entitled

An act to amend section seventeen of chapter sixty-nine of the General Statutes of Missouri, being section seventeen of article seven of chapter thirty-seven of Wagner's Statutes, entitled "of manufacturing and business companies and of bridge companies;"

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Shields introduced a bill entitled

An act to amend an act entitled an act to amend chapter sixty-

three of the General Statutes of Missouri, entitled "of railroad companies so as to authorize the consolidation leasing, and extension of railroads," approved March 24, 1870, (being section fifty-eight of article two of chapter thirty-seven of Wagner's Statutes), and to provide for the condemnation of land for railroad depots, machine shops, side tracks and other purposes;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Banks and Corporations.

Mr. Shields introduced a bill entitled

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty-six of the General Statutes entitled "of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the 16th judicial circuit," approved March 22, 1870, the same being section forty-four of article four of chapter forty-one of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Hooper introduced a bill entitled

An act to amend section twenty-five, chapter ninety-eight, of the General Statutes of Missouri, the same being section twenty-five of chapter forty-eight of Wagner's Statutes, relating to dram shops;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Harmon introduced a bill entitled

An act to provide for the registration of voters and to repeal all acts and parts of acts inconsistent therewith;

Which was read the first time, the rules suspended, read the second time and, on motion,

Referred to Committee on Elections.

Mr. Neal introduced a bill entitled

An act to amend section six of chapter one hundred and twenty-three of the General Statutes of 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Buller introduced a bill entitled

An act to repeal an act entitled an act supplemental to and amendatory of an act in relation to the recorder's office in the county of Cedar, approved March 20, 1861;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Bosbyshell introduced the following resolution:

Resolved, That the Committee on the Penitentiary be instructed to inquire into the present law governing the Penitentiary, and to report such a bill as will provide for a more efficient management of said Penitentiary;

Which was read and adopted, and, on motion,
Referred to Committee on Penitentiary.

Mr. Bittinger introduced the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the State Librarian be and is hereby authorized to distribute to agricultural and horticultural societies, and members of the General Assembly who may apply for them, all copies of the State Agricultural Reports in his possession which he may deem unnecessary to retain for the use of the library;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Monroe, Buckham, Buller, Bunch, Butler, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Edens, Fassen, George, Girdner, Goodson, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, Pauley, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Stone, Squires, Turner, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—99.

NOES—None.

Absent—Messrs. Bradshaw, Bulkley, Dolle, Dolman, Frost, Gates, McAllister, Ming, Moore of Livingston, Myers, Pope, Scoville, Steele, Thomas, Walker, Williams of Audrain and Williams of Morgan—18.

Absent with leave—Messrs. Brown of Howard, Burrows, Burton, Chilton, Clark, Dent, Edwards, Eubanks, Gray, Hackman, Hammett, Leach, Logan, O'Bannon of Dallas, O'Bannon of Pettis, Rolston, Sloan, Von Kochtitzky, White of Texas and Wilkes—19.

Sick—Mr. Gratiot—1.

Mr. Bittinger moved to reconsider the vote by which the resolution passed, and to lay that motion on the table;

Which was agreed to.

Mr. Beltrami introduced a bill entitled

An act to amend an act entitled an act to amend section twenty-two, chapter ninety-three of the General Statutes of the State of Missouri, 1865, being section twenty-two, chapter ninety-five, Wagner's Statutes of Missouri, concerning merchant licenses;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Joint Committee on Revenue.

Mr. Beltrami introduced a bill entitled

An act to amend an act entitled an act to amend sections seven and eight, chapter ninety-six General Statutes of Missouri, A. D. 1835, being sections seven and eight, chapter one hundred and six of Wagner's Statutes of Missouri concerning peddlers' licenses.

Which was read the first time the rules suspended, read the second time, and, on motion,
Referred to Joint Committee on Revenue.

Mr. McMillan presented a remonstrance of the citizens living within the limits of the proposed new county of Bourbon against the formation of said county;

Which was read, and, on motion,
Referred to Committee on County Boundaries.

Mr. McMillan presented a petition of the citizens of Bates county, asking for the formation of Richland county;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Claiborne introduced a bill entitled

An act in relation to fees;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Judiciary.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

STATE OF MISSOURI, SENATE CHAMBER,
City of Jefferson, February 20, 1871.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed that body, Senate concurrent resolution No. 22, entitled
Concurrent resolution for adjournment.

Also, Senate bill No. 101, entitled

An act to authorize the redemption of Union Military Bonds filed with the State Treasurer,

In all of which the concurrence of the House is respectfully requested;

Which was read.

Mr. Colcord, from the special committee to whom was referred House resolution expressing the sympathy of the people of Missouri with the cause of Ireland, and extending to the Irish exile an invitation to visit our State, submitted the following report and accompanying resolutions:

MR. SPEAKER: The special committee to whom was referred House resolution in the following words:

Resolved, That a committee of five be appointed to draft resolutions expressing the sympathy of the people of Missouri with the

cause of Ireland, and extending to the Irish exile an invitation to visit our State,

Have had the same under consideration, and now ask leave to report the following preamble and resolutions, with the recommendation that they be adopted:

WHEREAS, The heroic devotion of those who love freedom and strive in council or battle for a more perfect liberty, in all times has commanded at once the highest admiration and the warmest sympathy of a free people; and,

WHEREAS, O'Donavan Rossa and his brave compatriots, recently liberated by the tardy edict of the British government from British prisons, by their efforts in behalf of Irish freedom, evince to the world the highest type of that lofty spirit which no chains can fetter and no whips can lash into meek humility or slavish servitude, but rather tend to strengthen the high resolve and steady faith and purpose which makes a nation free; and,

WHEREAS, The freedom of Ireland from British rule would further extend the beneficent system of Republican government to a people rendered most worthy of its high privileges by constant and heroic struggles to attain it, by patient hope too long deferred, and by a love of country ever warm and glowing in their hearts; and,

WHEREAS, O'Donavan Rossa and his associates were led to prison because of their devotion to their natural land, and their efforts to give it that liberal constitution and government to which it is entitled, and in all the long months of their imprisonment they have shown a courage, fortitude and spirit worthy the best and noblest of freedom's martyrs, therefore be it

Resolved, That, believing in the right of every people to govern themselves, and maintaining that the principles of Republican liberty are in their nature capable of universal application, we do warmly sympathize with the Irish people in their efforts to free Ireland from the despotic rule which has for centuries mocked and blighted the lofty aspirations of her sons, and that we cordially indorse the efforts of Irishmen to establish a Republic, modelled like our own, in a land kindred with ours by common aspirations for liberty.

Resolved, That we welcome the brave Rossa and his associates to our country, and cordially invite them to visit our State; and that we do hereby tender to them a public reception in the Hall of the House of Representatives at their convenience during the present session of the General Assembly.

Resolved, further, That the Chief Clerk of the House of Representatives, be and is hereby instructed to forward an attest copy of these resolutions to the mayor of New York city, with the request that he present them to O'Donavan Rossa and his associates.

N. O. CLAIBORNE.

JOHN I. MARTIN.

N. A. MORTELL.

J. P. COLCORD.

Which were read and adopted.

The Speaker laid before the House the following communication from the State Auditor, Mr. Draper:

AUDITOR'S OFFICE, STATE OF MISSOURI,
City of Jefferson, February 20, 1871.

Hon. R. P. C. Wilson, Speaker of House of Representatives:

SIR: In obedience to resolution of the House of Representatives,

adopted on the 6th inst., I have the honor to submit herewith, detailed statement of expenditures during the years 1869 and 1870, on account of the appropriations for:

- 1st. Contingent expenses of General Assembly.
- 2d. Copying and indexing laws and journals.
- 3d. Distributing laws and journals.
- 4th. Printing laws and journals.
- 5th. Repairing capitol.
- 6th. Under section forty-six, chapter forty-six, General Statutes, and section seventy-one of school law of 1870, and a detailed statement of the certificates of indebtedness issued in conformity to section thirty-two, chapter one hundred and thirty-seven, Wagner's Statutes.

The statement of expenditures for contingent expenses of General Assembly, is arranged so as to show the amounts paid, and for what purpose, to each person, distinguishing between expenditures certified from the Senate, from the House, by the Secretary of State, and by the Commissioner of Permanent Seat of Government, and giving the amounts paid in each year.

Accompanying these statements are complete copies of the several bills for printing, the bills of each class being numbered to correspond with the numbers of the several statements.

I have the honor to be, sir, very respectfully,

Your obedient servant,

DAN. M. DRAPER,

State Auditor.

Which was read and,
Referred to Committee on Ways and Means.

Mr. Brown of Howard, moved that the House go into Committee of the Whole for the consideration of
Substitute for House bill No. 46,
Which was agreed to.

Mr. Mitchell in the chair.

On motion of Mr. Knott,
The committee rose.

Speaker Wilson took the chair, and called the House to order.

Mr. Mitchell, chairman of the Committee of the Whole, submitted the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration

Substitute for House bill No. 46,
Have instructed me to report in favor of striking out the enactment clause.

Mr. Claiborne moved that the House adjourn until 2 o'clock, P. M.
The ayes and nays being demanded, the motion was carried by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Beltrami, Bittinger, Bohn, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Claiborne,

Cloud, Crockett, Dean, Doak, Edens, George, Haas, Harmon, Hickman, Hooper, Hubbell, Hutt, Koch, Kost, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Mortell, Murphy, Murray, Myers, Neal, Newman, Pauley, Pope, Raney, Richardson, Scoville, Sharp, Shewalter, Shields, Sides, Turner and Worden—54.

NOES—Messrs. Adams of Butler, Barrett, Bass, Bell, Bosbyshell, Breazeale, Buckham, Bunch, Coleman, Davis, Girdner, Goodson, Hardin, Howell, Kitchen, Knott, Lamson, Langston, Leeper, Marlin, McPike, Miller, Mitchell, Moore of Stone, Mullings, Norris, Randall, Ray, Samuel, Schooley, Shafer, Smith, Sorrell, Stancil, Stone, Squires, Van Roden and Wight of Vernon—38.

Absent—None.

Absent with leave—Messrs. Bennett, Borg, Bulkley, Burrows, Burton, Butler, Chilton, Clark, Colcord, Collier, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, Gratiot, Gray, Hackman, Hammett, Latshaw, Leach, Logan, McMillan, Ming, Moore of Livingston, O'Bannon of Pettis, Robinson, Rolston, Sanford, Sloan, Steele, Thomas, Von Kochtitzky, Walker, Wielandy, White of Texas, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—45.

Sick—Mr. O'Bannan of Dallas—1.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of
Substitute for House bill No. 46,
As reported from the Committee of the Whole.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up
House concurrent resolution No. 19, entitled
Joint resolution memorializing Congress to make an appropria-

tion for the building of a postoffice and United States Court room at the State Capitol ;

Also House bill No. 45, entitled

An act to amend sections four, twelve and thirteen of an act amendatory to an act to establish and regulate free public schools in the city of Chillicothe, approved March 12, 1870, and amendatory of an act entitled an act to establish and regulate free public schools in the city of Chillicothe, approved February 15, 1865,

And passed the same.

Which was read.

Mr. Knott moved the previous question on the motion to strike out the enacting clause of the bill ;

Which was ordered.

The ayes and noes being demanded, the enacting clause was stricken out by the following vote :

AYES—Messrs. Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bass, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Brown of Monroe, Buller, Butler, Claiborne, Cloud, Collier, Davis, Dean, Gates, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Knott, Koch, Latshaw, Marshall, Martin of St. Louis, Maupin, McAllister, McPike, Mitchell, Moore of Livingston, Mortell, Murray, Myers, Neal, Newman, Richardson, Robinson, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Steele, Stone, Squires, Wielandy, Wight of Vernon, Williams of Audrain and Worden—65.

NOES—Messrs. Abbee, Abington, Adams of Butler, Alsop, Barrett, Bennett, Breazeale, Buckham, Bunch, Clark, Colcord, Coleman, Crockett, Doak, Dod, Edens, Fassen, George, Girdner, Howell, Kitchen, Kost, Lamson, Langston, Leeper, Logan, Marlin, Martin of Caldwell, Mabrey, McMillan, Miller, Moore of Stone, Mullings, Norris, Pauley, Pope, Raney, Randall, Ray, Rolston, Sanford, Stancil, Thomas, Turner, Van Roden and Williams of Morgan—46.

Absent—Mr. Murphy—1.

Absent with leave—Messrs. Bell, Bradshaw, Brown of Howard, Bulkley, Burrows, Burton, Chilton, Dent, Dolle, Dolman, Edwards, Eubanks, Frost, Gray, Leach, Ming, O'Bannon of Pettis, Von Kochtitzky, Walker, White of Texas and Wilkes—22.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Not voting—Mr. Speaker—1.

Mr. Hutt rose to a privileged question, which he proceeded to state.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his signature,
House bill No. 70, entitled

An act to amend section one (1) of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24, 1870;
Also, House resolution No. 23, entitled
Concurrent resolution for the transfer of arms;
Which was read.

HALL OF THE HOUSE OF REPRESENTATIVES,
CITY OF JEFFERSON, February 1871.

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that have carefully examined and find correctly enrolled, House bill No. 70, entitled
An act to amend section one (1) of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24, 1870;
Also, House concurrent resolution No. 23, entitled
Concurrent resolution for the transfer of arms;
Which was read.

The House went into Committee of the Whole for the purpose of considering
Substitute for House bills Nos. 63 and 113.

Mr. Shields in the chair.

On motion of Mr. Neal, the committee rose.

Mr. Shields, chairman of the Committee of the Whole, reported progress, and asked leave to sit again;
Which was granted.

On motion of Mr. Neal,
The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY, 21, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Hackman,
The further reading of the journal was dispensed with.

The Speaker laid before the House the following communication from the Board of Immigration :

St. Louis, February 18, 1871.

Hon. Eugene Weigel, Secretary of State, Jefferson City :

DEAR SIR: I beg leave to send you herewith the report of the Board of Immigration, with the request that you have it laid before the General Assembly, either through the chairman of the Committee on Immigration, or in such manner as you deem best.

I have sent you also by express about two hundred copies of the maps, with the request to cause one copy to be laid on each member's desk.

Hoping that you will excuse the trouble I give you, and that you will do me and my friend Valle the favor of giving this matter your best attention, I am much obliged,

Yours truly,
ISIDOR BUSH.

Which was read, and, on motion,
Referred to the Committee on Immigration.

Mr. Latshaw presented a petition from the citizens of Jackson county, against the formation of any new county curtailing the territory of Jackson county;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Latshaw presented a remonstrance of the citizens of Lone Jack and vicinity, against the formation of proposed new county of Bourbon;

Which was read, and on motion,
Referred to the Committee on County Boundaries.

Mr. Latshaw presented a remonstrance of the Board of Trade of Kansas City against the division of Jackson county for the formation of any new county;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Mitchell presented a remonstrance of the citizens and taxpayers of Lafayette county, against the formation of either of the proposed counties of Richland or Bourbon;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Mitchell presented an abstract of the votes cast for the different candidates for State Senator, in the several election districts of Jackson county;

Which was read, and on motion,
Referred to Committee on County Boundaries.

Mr. Samuel presented a petition from the farmers, stock raisers, dealers and shippers of Callaway county, praying for the enactment of a law that will better protect and secure a more speedy transit of stock, after the same has been loaded upon railroad cars;

Which was read, and on motion,
Referred to Committee on Agriculture.

Mr. Adams of Gentry, presented a petition of the citizens of Gentry county, praying or asking for the passage of a law, making it a penal offence for the owner of any bull, buck or boar, to suffer the same to run at large;

Which was read, and on motion,
Referred to Committee on Agriculture.

The following communication was received from the Governor by his private Secretary, Mr. Judson :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, February 20, 1871. }

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bills of the House:

An act to amend section one (1) of an act entitled an act to amend an act incorporating the city of Oregon, approved March 24, 1870.

Concurrent resolution for the transfer of arms.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Worden presented a petition of the citizens of Cass asking for the passage of a law permitting township organizations, subject to the adoption of any county that may desire it;

Which was read, and, on motion,
Referred to Committee on Township Organizations.

The Speaker laid before the House the following communication from the Committee on Permanent Seat of Government:

MR. SPEAKER: Your Committee on Permanent Seat of Government have granted the use of the Hall of Representatives to Professor Metzger for the purpose of delivering a free lecture on education, Tuesday evening, February 21st;

Which was read.

Mr. Dean introduced a bill entitled

An act to amend an act entitled an act to dispose of the Southwest Pacific railroad and other property belonging thereto, and to secure the early completion of said road, approved March 17, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Education.

Mr. McMillan introduced a bill entitled

An act for the relief and release of the securities of Thomas E. Rochester, late collector of the county of Cooper;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Hackman introduced a bill entitled

An act to repeal section ten of chapter ninety of the General Statutes of Missouri, being section five of article four of Wagner's Missouri Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Insurance.

Mr. Knott, of the Joint Committee on Revenue, submitted the following report:

MR. SPEAKER: The Joint Committee on Revenue, to whom was referred

House bills Nos. 338 and 337,

Respectfully beg leave to report the same back to the House with the recommendation that said bills be referred to the Committee on Ways and Means;

Which was read and so ordered.

Mr. Goodson, from Committee on Township Organizations, submitted the following report:

MR. SPEAKER: Your Committee on Township Organizations, to whom has been referred the numerous memorials and petitions asking that this General Assembly pass such laws as should be necessary to provide for township government, beg leave to report that they have had the matter under careful consideration, and as the result of their labors present herewith a bill for the purposes aforesaid. Your committee recognizing the grave importance of such a measure recommend that three hundred copies be printed for the use of the House;

Which was read.

The committee reported the following bill entitled

An act to provide for the organization of counties into municipal townships, and to further provide for the local government thereof;
Which was read the first time, the rules suspended, read the second time.

Mr. Haas moved that 150 copies be printed in bill form and 1,000 copies in pamphlet form.

Mr. Neal moved to amend by adding "one thousand in German;"

Which was read, and on motion,

The whole matter was referred to Committee on Printing.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee to whom was referred

House bill No. 276,

In relation to the revenue,

Have instructed me to report the same back with the recommendation that it be referred to the Joint Committee on the Revenue;

Which was read and so ordered.

Mr. Wielandy gave notice that he would on to-morrow or some subsequent day introduce a

Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof abolishing the grand jury system of this State.

On motion of Mr. Buller,

House bill No. 96, entitled

An act to provide for appeals and writs of error in civil cases, concerning practice in the Supreme Court and repealing chapter one hundred and thirty-five of the General Statutes, and an act entitled

an act to amend section nine of chapter one hundred and seventy-two of title thirty-four of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868,

Was taken up, read and Senate amendment concurred in.

Mr. Bittinger introduced a bill entitled

An act to amend an act entitled an act to authorize the county court of Buchanan county to subscribe stock for railroads and for other purposes, approved February 11, 1861, so as to require the assent of two-thirds of the qualified voters of said county to sanction such subscription;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Mortell introduced a bill entitled

An act to amend section nine of an act entitled an act to establish a criminal court in St. Louis county, approved December 11, 1855; Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Murray, of the Committee on Criminal Jurisprudence submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence to whom was referred

Senate bill No. 5,

Re-enacting section thirty, chapter two hundred and seven of the General Statutes, concerning crimes and their punishments,

Report that they have duly considered the same, and that they report said bill back to the House with the recommendation that it do pass;

Which was read.

Senate bill No. 5, entitled

An act to re-enact section thirty, chapter two hundred and seven of the General Statutes, entitled "of crimes and their punishments," and being section thirty of article nine of Wagner's Statutes,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Butler, Chilton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Edens, Fassen, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—111.

NOES—None.

Absent—Messrs. Bennett, Bulkley, Bunch, Myers, Newman, Randall and Shields—7.

Absent with leave—Messrs. Burrows, Burton, Clark, Dent, Dolle, Dolman, Edwards, Eubanks, Frost, Gray, Hammett, Leach, Ming, Rolston, Walker, White of Texas and Wilkes—17.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Neal moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Mulings called for the regular order, and the House went into Committee of the Whole for the further consideration of substitute for

House bills Nos. 63 and 113.

Mr. Shields in the chair.

Mr. Haas moved that the committee rise.

Speaker Wilson took the chair, and called the House to order.

Mr. Shields, chairman of the Committee of the Whole, reported progress, and asked leave to sit again at 2 o'clock, P. M.;
Which was granted.

On motion of Mr. Hackman,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following reports:

MR. SPEAKER: Your Committee on Enrolled Bills, have presented to the Governor for his signature,
House bill No. 45, entitled

An act to amend sections four, twelve and thirteen of an act amendatory of an act to establish and regulate free schools in the city of Chillicothe, approved March 11, 1870, and amendatory of an act entitled an act to establish and regulate public schools in the city of Chillicothe, approved February 15, 1865;

Also, House joint resolution No. 19, entitled

Joint resolution memorializing Congress to make an appropriation for the building of the postoffice and United States court-room at the State Capital;

Which was read.

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 45, entitled

An act to amend sections four, twelve and thirteen of act amendatory of an act to establish and regulate free schools in the city of Chillicothe, approved March 12, 1870, and amendatory of an act entitled an act to establish and regulate free public schools in the city of Chillicothe, approved February 15, 1865;

Also, House joint resolution No. 19, entitled

Joint resolution memorializing Congress to make an appropriation for the building of a postoffice and United States court-room at the State Capital;

Which was read.

The House went into Committee of the Whole for the purpose of further considering

Substitute for House bills Nos. 62 and 113.

Mr. Shields in the chair.

Mr. Mullings moved that the committee rise and report bill to the House with amendments, and recommend that as amended it pass;

Which was agreed to.

The title was amended and agreed to.

Speaker Wilson in the chair.

Mr. Shields, from the Committee of the Whole, submitted the following report:

MR. SPEAKER: I am instructed to report that your Committee of the Whole has had under consideration a

Substitute for House bills Nos. 62 and 113,

As reported by the Committee on Education, and beg leave to report the same back to the House with the following substitute by way of amendment thereto, with the recommendation that it do pass;

Which was read.

Mr. Shafer moved to strike out the enacting clause.

Mr. Leeper moved to reject the amendment;

Which was agreed to.

Substitute for House bills Nos. 62 and 113, entitled

An act to amend sections four, seven, eight and fourteen of an act to authorize cities, towns, and villages to organize for school purposes with special privileges, to repeal certain acts therein mentioned,

and all acts and parts of acts inconsistent with this act, approved March 21, 1870,

Was taken up.

The following amendments, as recommended by the committee:

Amend by striking out all between the words "said," in line forty-two, and "annum" in line fifty inclusive, and insert the following:

Said board shall have power by order or resolution to be entered of record among their proceedings to levy a tax of one-half of one per cent. per annum on all taxable property, including all statements of merchants doing business within said district for the purpose of maintaining public schools in their respective districts, and one-half of one per cent. on same property for the erection of school buildings therein; *provided, however*, that said board may levy a greater tax for either one of said objects if a majority of the voters present and voting at a meeting called by said board for that purpose shall recommend the same. Before any meeting can be held for the purpose indicated in this section said board shall give at least ten days' notice thereof, stating the object, by putting up in six public places in the corporate limits of such town six written or printed hand-bills; *provided*, that no greater tax than one per cent. shall be levied for either of said purposes unless two-thirds of the voters present and voting at such meeting shall recommend the same.

Amend by adding after the word "erection," in line eleven, the words "and maintenance," after the word "therein," in line twelve, the words "or for the purpose of paying any indebtedness previously contracted in the erection of school buildings."

Amend by striking out the section under consideration, (which was section four);

Were read and agreed to.

On motion of Mr. Mullings,

The bill was considered engrossed, read, as amended, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Butler, Cloud, Colcord, Crockett, Davis, Doak, Dod, Edens, Fassen, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Hubbell, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Norris, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Sharp, Shewalter, Shields, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

NOES—Messrs. Adams of Butler, Asher, Breazeale, Buckham, Buller, Hooper, Hutt, O'Bannon of Pettis, Shafer and Sides—10.

Absent—Messrs. Borg, Coleman, Dean and Scoville—4.

Absent with leave—Messrs. Bell, Beltrami, Bulkley, Bunch, Burrows, Burton, Claiborne, Chilton, Clark, Dent, Dolle, Dolman, Ed-

wards, Eubanks, Frost, Gray, Howell, Koch, Leach, Ming, Mortell, Newman, Sloan, Walker, White of Texas and Wilkes—27.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Mullings moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Martin of St. Louis, of Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have this day presented to the Governor for his signature

Senate bill No. 5, entitled

An act to re-enact section thirty of chapter two hundred and seven of the General Statutes, entitled "of crimes and their punishments;"

Which was read.

Mr. Turner, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred

House bills Nos. 268, 71 and 133,

Relating to the registration of voters,

Having had the same under consideration, beg leave to offer the following substitute therefor;

Which was read and taken up for consideration.

Which was read the first time, the rules suspended, read the second time, 150 copies ordered printed, and made the special order for to-morrow at eleven o'clock, A. M.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body bills of the following titles:

Substitute for House bill No. 128, entitled

An act to establish a probate court in Perry county;

Also, that there has been introduced into and passed the Senate: Senate bill No. 92, entitled

An act to amend an act entitled an act to amend section six, chapter ninety-three of the General Statutes, concerning merchants and their licenses, approved March 26, 1868, being chapter ninety-five of Wagner's Statutes;

Senate bill No. 143, entitled

An act supplementary and amendatory of an act entitled an act to incorporate the town of Huntsville, approved March 12, 1859;

In which the concurrence of the House is respectfully requested.

Which was read.

Mr. Shewalter, from the Committee on Printing, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 343,

With instructions to ascertain the cost of printing the same;

Beg leave to report that they have had the matter under consideration, and find the cost of printing three hundred copies of said bill, in bill form, will be one hundred and eighty dollars, the same number of copies in pamphlet form can be printed at a cost of one hundred dollars;

Which was read.

Mr. Goodson moved to print one hundred copies in pamphlet form.

Mr. Shields moved to amend by printing six hundred copies;

Which was accepted and the motion agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

The "petition from officers of insurance companies,"

Beg leave to report it back to the House, with recommendations that it be referred to House Committee on Insurance for investigation;

Which was read, and the accompanying petition referred to the Committee on Insurance.

On motion of Mr. Shafer,

The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, FEBRUARY 22, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Bosbyshell,
The further reading of the journal was dispensed with.

Mr. Burton, from the Committee on Engrossed Bills, submitted the following reports:

MR. SPEAKER: Your Committee on Engrossed Bills would respect-

fully report that they have carefully examined and find correctly engrossed

House bill No. 197, entitled

An act to amend sections six, thirteen, fourteen, seventeen and eighteen, of an act entitled an act to provide for the reorganization and support of public schools, and to revise and amend laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870;

Which was read.

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined and find correctly engrossed

Concurrent resolution No 26,

Asking Congress to make an appropriation for the survey and improvement of the navigation of the Gasconade river;

Also, House bill No. 72, entitled

An act to exempt certain property from the debts of the husband, and to exempt certain property of the husband from the debts of the wife;

Which was read.

Mr. Buckham presented a remonstrance against the petition to incorporate Newtonia township, in Newton county, Missouri;

Which was read, and on motion,

Referred to Committee on Education.

Mr. Stone presented a petition of the citizens and tax-payers of the city of St. Louis, asking for the repeal of so much of article ten of the city charter as provides for a board of park commissioners, to consist of one member from each, ward and to enact therefor a law empowering the city council to appoint, etc.;

Which was read, and on motion,

Referred to St. Louis Delegation.

Mr. Stone introduced a bill entitled

An act to amend an act entitled an act to revise the charter of the City of St. Louis, and to extend the limits thereof, approved March 4, 1870;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to St. Louis Delegation.

Mr. Martin of Caldwell presented a petition of the citizens of Caldwell county, praying for the passage of a law allowing each county or township to regulate its own affairs in restraining domestic stock;

Which was read, and on motion,

Referred to Committee on Agriculture.

Mr. Shields introduced a concurrent resolution, entitled

Concurrent resolution of respect to the memory of Washington:

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Bradshaw, Breazeale, Buckham, Bunch, Burrows, Butler, Chilton, Claiborne, Cloud, Coleman, Collier, Crockett, Dean, Doak, Edens, Edwards, Fassen, Frost, Gates, George, Gray, Haas, Hardin, Hickman, Hooper, Howell, Hubbell, Kitchen, Knott, Kost, Lamson, Langston, Leeper, Logan, Marlin, Marshall Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Moore of Stone, Mortell, Mullings, Murphy, Neal, Norris, O'Bannon of Pettis, Randall, Ray, Samuel, Schooley, Scoville, Shewalter, Sides, Sloan, Smith, Stancil, Steele, Squires, Thomas, Van Roden, Walker, Wielandy, Wilkes, Williams of Morgan and Mr. Speaker—83.

NOES—Messrs. Abington, Adams of Butler, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Davis, Dod, Girdner, Goodson, Hackman, Harmon, Hutt, Koch, Latshaw, McMillan, Mitchell, Moore of Livingston, Murray, Myers, Pauley, Robinson, Rolston, Sanford, Shafer, Sharp, Sorrell, Stone, Von Kochtitzky, Williams of Audrain and Worden—31.

Absent—Mr. Raney—1.

Absent with leave—Messrs. Bittering, Borg, Bulkley, Burton, Clark, Colcord, Dent, Dolle, Dolman, Eubanks, Leach, Maupin, Ming, Newman, Pope, Richardson, Turner, White of Texas, and Wight of Vernon—19.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr Shields moved to reconsider the vote by which the concurrent resolution passed, and to lay that motion on the table.

Mr. Edens introduced the following resolution :

Resolved, That the second hour of the morning session be devoted to the consideration of the memory of Washington, the Father of his Country;

Which was read and rejected.

Mr. Latshaw introduced a bill entitled

An act to amend an act to revise and amend the city charter of the city of Kansas, approved March 16, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Frost introduced a bill entitled

An act to change the time of holding circuit courts in the eighteenth judicial circuit of the State of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Special Committee composed of the members of the eighteenth judicial circuit.

Mr. Kost introduced a bill entitled

An act to amend section fifty-one, chapter thirteen, General Stat-

utes of Missouri, providing for the sale of the personal delinquent list;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Mr. Bell introduced a bill entitled

An act to incorporate the Odd Fellows Savings' Association of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr Bell introduced a bill entitled

An act to amend section thirteen, chapter thirty-two, of the General Statutes of Missouri, and section thirteen, chapter fifty-six, Wagner's Statutes, concerning sheriff's fees in civil cases;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Goodson introduced a bill entitled

An act to appropriate money for the benefit of the Missouri Institution for the Education of the Blind;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. O'Bannon of Pettis introduced a bill, entitled

An act to amend an act entitled an act to establish Normal schools, approved March 19, 1870;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

The following message from the Senate was received by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House concurrent resolution entitled

"Of respect to the memory of Washington;"

Also, that there has been introduced into the Senate and passed by that body

Substitute for Senate bill No. 85, entitled

An act to amend section 47, of chapter 165, General Statutes of Missouri.

In which the concurrence of the House is respectfully requested; Which was read.

Mr. Brown, of Monroe gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act to provide for the payment of sheriffs and collectors such sums as may have been paid by them for the publication of the delinquent list for the year 1870.

Mr. Davis gave notice that he would on to-morrow or some subsequent day introduce a bill entitled

An act for the relief of Henry Mitchell, of Pulaski county.

Mr. Gates gave notice that he would on to-morrow or some subsequent day introduce

A bill to amend section 1, page 913 of the General Acts of the Revised Statutes, entitled an act in relation to the publication of notices in judicial sales.

Mr. Wight of Vernon introduced a bill entitled

An act to authorize the State Auditor to audit and allow the account of D. C. Hunter for making out tax-books of Vernon County for the year 1860.

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Claims.

Mr. Wight of Vernon introduced a bill entitled

An act to amend section 12, of an act entitled an act to authorize cities, towns and villages to organize for school purposes, with special privileges, to repeal certain acts herein specified and all acts and parts of acts inconsistent with this act, approved March 21, 1870.

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Education.

Mr. Claiborne introduced a bill entitled

An act to provide for the safe keeping of the deposits and securities deposited with the Superintendent of the Insurance Department of the State of Missouri.

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Insurance.

The special order being substitute for House bill No. 85,

An act to create the office of Public Printer, and prescribe the duties thereof,

And substitute for House bill No. 80,

An act to establish a State industrial school,

Were, on motion of Mr. Bennett postponed until the final disposition of substitute for House bills Nos. 71, 133, and 268, being

An act to provide for a uniform system of registration, and repealing all former acts.

Mr. Shafer offered the following amendment:

Amend by striking out the word "male," wherever it occurs in the first section of the bill; also, add after the word "his," wherever it occurs in the first section, the words "or her;" also, after the word "he," wherever it occurs in the first section, the words "or she,"

Which was read, and,

On motion of Mr. Wielandy,

Was rejected.

Mr. Gates offered the following amendment:

Amend section one, sixth line, after the word "town," and insert as follows: "and the last thirty days in the voting precinct;"

Which was read, and,
On motion of Mr. Hubbard,
Was rejected,

Mr. Neal offered the following amendment:

Amend section one, by striking out the words "the election for which he offers to register as a voter," and insert the words "his registration as a voter," all in lines four and five;

• Which was read, and,
On motion of Mr. Thomas,
Was rejected.

Mr. Mullings offered the following amendment:

Strike out section one of the bill, and insert section three, article second of the amended constitution;
Pending a discussion,

Mr. Edens rose to a point of order;

That the hour of twelve having arrived, in accordance with the concurrent resolution, the House must adjourn.

The Speaker declared the point of order well taken, and that the House stood adjourned until to-morrow morning at ten o'clock.

FRIDAY FEBRUARY 23, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read when
On motion of Mr. Latshaw,
The further reading of the journal was dispensed with.

The following message was received from the Senate by its Assistant Secretary, Mr. Griffin:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed that body

Senate bill No. 84, entitled

An act authorizing the formation of union depots and stations for railroads in cities of this State;

Senate concurrent resolution No. 27, entitled

To furnish to the Missouri Institution for the Education of the Blind, a copy of Wagner's Statutes, the session acts and House and Senate journals for 1870,

In which the concurrence of the House is respectfully requested;
Which was read.

The following communication was received from his Excellency, Governor B. Gratz Brown, by his secretary, Mr. Judson:

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bills from the House :

An act to amend sections four, twelve and thirteen of an act amendatory of an act to establish and regulate free schools in the city of Chillicothe, approved March 12, 1870, and amendatory of an act entitled an act to establish and regulate free schools in the city of Chillicothe, approved February 15, 1865;

Joint resolution memorializing Congress to make an appropriation for the building of a postoffice and United States court-room at the State Capital.

Respectfully,

B. GRATZ BROWN.

Which was read.

The morning hour was passed over under suspension of the rules, and the special order taken up, being the substitute reported by the Committee on Election, relating to a uniform system of registration.

Mr. Mullings' amendment offered on yesterday was adopted.

Mr. Knott offered the following amendment:

Amend section two, line four, by striking out all after the word "therein" and insert "an oath to support the Constitution of the United States and of the State of Missouri;"

Which was read.

Mr. Buller offered the following amendment to the amendment:

Amend section two by striking out all after the word "the" in line four and inserting the following, to-wit: "Following oath: We, the undersigned, do solemnly swear that we will support the Constitution of the United States and of the State of Missouri;"

Which was read and adopted.

Mr. Hutt offered the following amendment:

Strike out the words "county clerk" in line two and insert "clerks of the county court;"

Which was read and adopted.

Mr. Barrett offered the following amendment:

Amend section three by inserting after the word "act" in second line the words "and on or before the fourth Monday in August preceding each general election;"

Which was rejected.

Mr. Mitchell offered the following amendment:

Strike out section three (3) and substitute in lieu thereof the following:

SECTION 3. The first commissioned justice of the peace in each municipal township in the respective counties, is hereby appointed registration officer in his respective municipal township, and is au-

thorized to administer all oaths that may be necessary in the registration of voters;

Which was read and rejected.

On motion, leave of absence was granted to Mr. Crockett for four days.

Mr. Hardin offered the following amendment:

In case said justice refuse to act, the county court shall appoint a suitable person to act as registration officer;

Which was read and rejected.

Mr. Buller offered the following amendment:

Amend by striking out section three and inserting the following, to wit: The qualified voters of each election precinct shall on or before the first Tuesday in April, 1871, and every year thereafter, elect one competent person having the qualifications of an elector, to act as registration officer in such election district, who shall take the oath required by the Constitution of this State, be commissioned by the county court, and hold his office until his successor is duly elected and qualified. In case of a failure to hold such election on the repeal of the person elected to qualify, and he within ten days after the election, or of his death or removal from office, the county court may appoint a registering officer to fill such vacancy. Until such election shall be held the present county supervisors of registration shall act as registering officers;

Which was read and rejected.

Mr. Thomas offered the following substitute for section three:

Substitute for section three:

SECTION 3. The several county courts in this State shall on the third Monday in March, 1871, and every two years thereafter, appointed in each election district in their respective counties, one competent person, to act as registrar in his election district, who shall have the qualification of an elector, and he is hereby authorized to administer all oaths that may be necessary in the registration of voters, and if there should be no regular term of any county court in any county in this State on the third Monday in March of each year, then a special term shall be held on that day for the purpose of making the appointments herein provided for. A vacancy in the office of registrar in any election district shall be filled by the county court at any general or special term;

Which was read and not agreed to.

Mr. Neal offered the following amendment:

Amend section three by adding at the end thereof the following: Provided that at the general election in 1872, and at each general election thereafter, the qualified voters of each election district shall elect a registration officer for such election district, and in case of vacancies the county court shall appoint to fill such vacancies until the next general election;

Which was read and adopted.

Mr. Buller offered the following amendment:

Amend by adding at the end of the present section: "The person appointed shall be deemed to have accepted his appointment, unless he shall within five days thereafter signify to the county court his refusal to accept the same, in which case some other person shall be appointed;"

Which was read and rejected.

Mr. Thomas offered the following amendment:

Amend section three by striking out in the first and second lines the words, "at their first session after the passage of this act," and insert the following: "On or before the third Monday in March, 1871;

Which was read and adopted.

Mr. Barrett offered the following substitute by way of amendment:

Strike out section three and insert:

SEC. 3. For the purpose of perfecting the registration lists, the supervisor of registration elected in each county at the last general election, is hereby authorized to appoint in each election district in their respective counties, on or before the fourth Monday in March, A. D., 1871, one competent person to act as registration officer in his election district until the next general election; said registering officer to have the qualification of an elector, and to be authorized to administer all oaths that may be necessary in the registration of voters;

Which was read and rejected.

Mr. Knott offered the following amendment:

Provided, that if there be no regular session of the county court in time to provide for the special registration provided for in section nineteen of this act, then a special session shall be held for that purpose;

Which was read and adopted.

On motion of Mr. Mullings,

The section was referred to a special committee, with instructions to report back to the House at 2 o'clock, P. M.

The Speaker announced as the special committee:

Messrs. Thomas, Knott, Stone, Mortell and Kost.

Mr. Frost offered the following amendment:

Amend section four, by adding to said section: *Provided* that any qualified voter who is prevented by sickness, absence from the county or other good reason, fails to be registered as herein provided, may take the oath before the judges of election on election day, and have his name enrolled on the books of registration, and be allowed his vote at such election as though he had been duly registered as herein provided;

Which was read.

Mr. Hubbell offered the following amendment to the amendment:

Amend section four as follows: By adding "*provided, however*, that all persons entitled to registration who cannot conveniently attend in person before such officer for purposes of registration, may take and subscribe to the oath before any person authorized to administer the same, and shall be registered upon the filing of his oath within the time prescribed by this act with the registering officer of his district;"

Which was read.

Mr. Shields offered the following substitute:

Strike out all after the word "*provided*," and insert the following:

If any qualified voter should be prevented by any cause from registering as such qualified voter on the regular registration days in his election district, and he shall take and subscribe the oath required herein of voters, and the further oath that he believes he is entitled to vote under the laws of this State, and send the same to the registrar of his election district at any time before the tenth day next preceding the day of the election, the registrar shall immediately

place the name of said voter on the registration books for such election district, and certify thereon the fact of such additional name or names being added thereto.

Pending of which,

On motion of Mr. Mullings,
The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The Speaker laid before the House the following communication from the Adjutant General, Mr. Sigel.

HEAD-QUARTERS, STATE OF MISSOURI, ADJUTANT GENERAL'S OFFICE,
Jefferson City, Mo., February 23, 1871.

Hon. R. P. C. Wilson, Speaker of the House of Representatives :

SIR: The General Assembly having directed me yesterday to cause a salute of thirteen guns to be fired at a certain hour and at a certain place in this town in commemoration of the anniversary of Washington's birth day, I regret very much not to have been able to comply with such instruction and patriotic design.

The simple reason was, that there is but one small gun in the armory and no implements thereto, and none could be had, and a substitution of other means in order to effect a firing, might have subject the volunteering participants to an accident. I will, however, try with the small funds appropriated for office expenses to complete the outfit of the two guns belonging to the State, (one of which has been sent to Clinton in June last), so that they may be serviceable and be used at future occasions.

Very respectfully, your obedient servant,

ALBERT SIGEL.

Adjutant General of Missouri.

Which was read.

Mr. Thomas, from the special committee to whom was referred section three of substitute for House bills Nos. 71, 133 and 268, submitted the following report:

MR. SPEAKER: The special committee, to whom was referred section three of substitute for House bills 71, 133 and 268, have had the same under consideration, and have instructed to report the accompanying substitute with the recommendation it do pass;

Which was read.

Substitute for section three as reported by the special committee:
 SEC. 3. On or before the 9th day of March, 1871, the several county courts in this State shall appoint some competent person to act as registrar in each election district in their respective counties, who shall have the qualifications of an elector, and who shall hold his office until the general election in 1872 and until his successor is elected and qualified. Said registrar shall have authority to administer all oaths which may be necessary in the registration of voters. And if there should be no regular term of the county court of any county in this State held on or before the 9th day of March, 1871, then a special term of such court shall be held on that day (of which no notice shall be necessary) for the purpose of making the appointments herein provided for. At the general election to be held on the first Tuesday after the first Monday of November, 1872, and every two years thereafter, the qualified voters of each election district in the respective counties of this State shall elect one registrar who shall have the qualifications of an elector, and who shall hold his office for two years and until his successor is elected and qualified. All vacancies in the office of registrar shall be filled by the respective county courts; and should any county court in this State fail to make the appointments of registrars, as hereinbefore required, on or before the 9th day of March, 1871, there shall be a vacancy therein within the meaning of this act;

Which was read and adopted.

Mr. Leeper moved to refer the whole matter to a committee of nine, one from each Congressional district.

Mr. Claiborne moved to reject that motion.

Mr. Leeper withdrew his motion to refer.

Mr. Hubbell withdrew the amendment offered by him this morning.

Mr. Mortell offered the following amendment:

Amend section four by inserting in the third line after the words "by law."

And any naturalized citizen who shall subscribe to and make affidavit before the registrar that he is naturalized according to the laws of the United States and of this State, and has resided in this State according to the first section of this act, and that his naturalization papers or evidence of his citizenship has been lost or destroyed, and that the same are not accessible to him;

Which was read and accepted.

The substitute, as amended, was then adopted.

Mr. Colcord offered the following amendment:

Amend section four by adding thereto the following:

"In all cases where the person offering for registration is not known by the registration officer to be a qualified voter in his election district, he shall examine on oath the person so offering for registration, to ascertain whether such person is entitled to vote within his election district according to the provisions of section one of this act; and in all cases no other evidence of age, birth, naturalization or residence shall be required than the oral statement, under oath, of the person offering for registration; and every person qualified to vote under the provisions of section one of this act, who shall take the constitutional oath herein prescribed, and satisfactorily answer the questions put to him by the registration officer respecting age, birth, naturalization and residence within the times respectively provide herein for the registration of voters, shall be taken and accepted

by said registration officer as entitled to vote, and his name entered on the registration book ;

Which was read, and,

On motion of Mr. Auer, rejected.

Mr. Pope offered the following amendment ;

Amend section four as amended by striking out the word "said" and insert instead thereof the word "present ;"

Which was read, and,

On motion of Mr. Samuel, was rejected.

Mr. Colcord offered the following amendment :

Amend by striking out the words "make affidavit" and insert the words "shall make oral statement under oath ;"

Which was read and accepted.

Mr. Knott offered the following amendment :

Amend section four, line two, by inserting after the word "votes" the words "by the second section of this act ;"

Which was read and adopted.

Mr. Neal offered the following amendment :

Amend section five, line one, by striking out the words "county clerk" and insert "sheriff ;"

Which was read.

Mr. Myers moved to reject the amendment ;

Which was agreed to.

Mr. Murray offered the following amendment :

Strike out all before the word "various," in second line, and insert in lieu thereof the words "the clerk of the county shall deliver or cause to be delivered the registration books required ;"

Which was read.

Mr. Colcord offered the following substitute :

Substitute for section 5, the following :

SEC. 5. The books of registration required by this act, shall be delivered, or cause to be delivered by the county clerk to the several registration officers of his county, at least three days before the registration shall begin, as in this act provided, and when the registration is completed in any election district, the registration officer thereof shall return his book of registration (in the manner now by law provided for the return of poll-books), duly certified, to the county clerk, who shall keep it in his custody until the next registration, subject to public inspection, while in his office ;

Which was read and rejected.

Mr. Shields offered the following amendment to the amendment :

Amend section five by inserting after the words "by this act," the words "books required."

The amendment as amended was adopted.

Mr. McMillan moved that the bill be referred to a committee of five, with instructions to report to-morrow morning at 11 o'clock.

Mr. Colcord moved to amend by increasing the number of said committee to seven ;

Which was agreed to.

The Speaker announced as said committee Messrs. Knott, Colcord, Thomas, Bosbyshell, Buller, Mullings and Shields.

Mr. Frost, from the Committee on Mines and Mining, submitted the following report :

MR. SPEAKER: Your Committee on Mines and Mining have had under consideration

Senate bill No. 96, being

An act to amend an act entitled an act to locate and dispose of the Congressional land grant of July 2, 1862, to endow, support and maintain a school of Agriculture and Mechanic Arts, and a school of Mines and Metallurgy, and to promote the liberal and practical education of the industrial classes in the learned pursuits and professions of life, approved February 24, 1870,

And have carefully considered the same and have instructed me to report the same back to the House, with the recommendation that it do pass;

Which was read.

House bill No. 96,

Was taken up, and, on motion,

Ordered to its third reading to-morrow.

Mr. Maupin, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom have been referred the several petitions and bills relating to the subject, beg leave to state that they have given the same careful consideration, and beg leave to report to the House the following bill, and recommend its passage;

Which was read.

The following bill, as recommended by the committee, entitled
An act to provide for the opening and repairing of public roads, and repealing all former and existing acts relating to same,

Was taken up, read the first time, the rules suspended, read the second time and, on motion,

Made special order for Tuesday, February 28, at 11 o'clock A. M., and 200 copies ordered printed.

Mr. Pope, of the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your committee of the St. Louis members, have had under consideration

House bill No. 299,

And have directed me to report the same back to the House, with the accompanying substitute, and recommend the passage of the substitute;

Which was read.

House bill No. 299, entitled

An act in relation to the justices of the county court of St. Louis,

Was taken up, together with the amendment by way of substitute as recommended by the committee,

Was read and agreed to.

On motion of Mr. Pope,

The rules were suspended, the bill read the third time, considered engrossed, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Builer, Bunch, Chilton, Claiborne, Clond, Colcord, Coleman, Crockett, Dean, Doak, Dod, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Howell, Hubbell, Hutt, Knott, Koch, Langston, Lashaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Ma-

brey, McAllister, McPike, Miller, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Shafer, Sharp, Shields, Sides, Sorrell, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—91.

NOES—Messrs. Burrows, Fassen, Hickman, Kost, Lamson, Marlin, Moore of Stone, Neal, Wilkes and Williams of Morgan—10.

Absent—Messrs. Abbee, Asher, Auer, Bohn, Borg, Butler, Collier, Davis, Hackman, Hooper, Kitchen, Leach, Martin of Caldwell, McMillan, Mitchell, Myers, Schooley, Scoville, Sloan, Shewalter, Smith, Stancil and Walker—23.

Absent with leave—Messrs. Burton, Bass, Beltrami, Clark, Dent, Dolle, Eubanks, Hammett, Ming, Newman and White of Texas—11.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Bell moved to reconsider the vote by which the bill passed ;
Mr. Bell moved to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Wielandy, of the Committee on Agriculture, submitted the following report :

MR. SPEAKER : Your Committee on Agriculture, to whom was referred

Senate bill No. 48, entitled

An act to regulate and provide for the inspection of tobacco ;

Beg leave to report that they have had the same under consideration, and that they are of opinion that the same do pass ;

Which was read and laid over informally.

Mr. Gates of the Committee on Penitentiary, submitted the following report :

MR. SPEAKER : Your committee on Penitentiary, to whom was referred the resolutions making inquiry in regard to contracts made by the Factor of said Penitentiary for supplies for the same, have had the same under consideration, and examination of witnesses, and directed your chairman to report as follows :

The testimony of the Factor and Commissary (herewith reported) discloses to your committee the following facts, viz: the present Factor took possession and entered upon his duties as such on the 27th day of January last, and found a contract made by the former Factor with one Wm. Henry, to furnish all the fresh beef necessary for the prison convicts from — and up to the 31st day of March, 1871, at three and a half cents per pound gross weight.

Your committee also find that the present Factor annulled said contract, and on the 3d day of February, inst., made a contract with one Robert D. Hunter to furnish said Factor with all the fresh beef required for said convicts until the 20th day of March next at ten cents per pound, net weight.

Your committee further find that no corn contract has been made by said Factor.

As your committee were directed by resolution of the House to report the facts only, they have refrained from reporting a bill, as called for in the resolutions offered by the member from Cole, but take the liberty to recommend that a law be passed, defining the duties and authority of the Factor in regard to contracts for furnishing supplies and other materials for prison use.

All of which is respectively submitted,

GEORGE W. GATES, *Chairman.*

Which was read.

Statement of A. J. Swain, Factor of the Penitentiary, made to the Committee on the Penitentiary, February 11, 1871:

Questions by chairman:

Q—1. Mr. Swain, are you the Factor of the Penitentiary, appointed by the Governor?

A—1. Yes, sir.

Q—2. At what time did you assume control of the Penitentiary as Factor?

A—2. About the 27th day of January, 1871.

Q—3. Who was your predecessor?

A—3. Capt. Jacob Steininger.

Q—4. Did he turn over to you any written contracts for supplies?

A—4. He did—a beef contract only.

Q—5. Have you that contract now?

A—5. I have not.

Q—6. What became of it?

A—6. I returned it to the contractor on his demand for it?

Q—7. What were the terms and conditions of that contract?

A—7. The terms were that he agreed to furnish Jacob Steininger, the Factor, all the fresh beef necessary for the use of the Penitentiary from the — day of —, 1870, to the 31st day of March, 1871, at ($3\frac{1}{2}$) three and a half cents per pound gross.

Q—8. Had he a quantity of cattle here at the time you assumed control?

A—8. I think he had about twenty head, though I am not positive about the precise number.

Q—9. Did you have those cattle killed for the use of the Penitentiary?

A—9. I did.

Q—10. What was the quality of the beef of the cattle then on hand?

A—10. They were, I consider, of the poorest quality, and I should not call them beef cattle. They were of the poorest quality of stock cattle.

Q—11. Do you know the weight of the cattle delivered?

A—11. I do not.

Q—12. How many days did the beef of the cattle on hand last?

A—12. Until about the 10th of February, inst.

Q—13. Did you consider the beef of the cattle on hand of suitable quality for wholesome food?

A—13. I did not, and don't think it was fit for any human being to eat.

Q—14. Did you notify the contractor that he must furnish a better quality of beef?

A-14. I did, and told him that the meat he was furnishing I would not feed to my dog. He admitted the poor quality of the beef, and said that he would not eat it himself.

Q-15. Did you notify him that you held his contract to furnish good beef for the use of the prisoners?

A-15. I did. He said he was furnishing beef at a cent less per pound than it was worth, and that it was understood between him and the former Factor that he was to "shove in" anything that he could get hold of.

Q-16. Why did you not hold him to the performance of his contract?

A-16. The contract was so drawn that he could not be held under it, as he only agreed to furnish all the fresh beef necessary with nothing said about quality except that Texas cattle and bulls were excluded.

Q-17. Why did you give up the contract to him?

A-17. By the advice of an attorney who said that he was entitled to it after I annulled it.

Q-18. Why did you not require him to pay the difference in the price he was to furnish beef at and the price you let the contract at subsequently?

A-18. As I have said his contract was so drawn as to be by me deemed worthless, and as the time was short I let the contract for that time to enable me to make the best arrangement possible for a longer time. I also desire to state that my attorney advised me that I had a right to annul the contract, as it was only with Jacob Steininger as Factor, and did not read to him as his successor.

Q-19. At what date did you make your contract for a fresh supply of beef?

A-19. On the third day of February, 1871, I made a contract with Robert D. Hunter to furnish all the fresh beef necessary for the use of the prison until the 20th day of March, 1871, at ten (10 cts) cents per pound net, and took his bond in the sum of twenty-five hundred dollars for the performance of the contract.

Q-20. How many pounds per day are required to supply the prison with beef?

A-20. I think about a thousand pounds are necessary.

Q-21. (By Mr. Wielandy). What other kind of meat is used besides fresh beef?

A-21. I think they use some salt beef.

Q-22. Who furnishes that salt beef?

A-22. The former contractor, Mr. Henry, spoken of before.

Q-23. Does he still furnish that beef?

A-23. I believe he does.

Q-24. Is that furnished under a separate contract?

A-24. I think not. I do not know of any contract about it; there was considerable on hand stored here when I took possession, but I refused to receipt for any of it except as we used it, or otherwise he could hold us for the whole amount. My impression is the quality is bad. The price paid for it is seven cents per pound.

Q-25. (By Mr. Edwards). How many head of cattle did you receipt for under the contract between Steininger and Henry?

A-25. I do not know how many precisely were receipted for in my name, as Mr. Smith had been in the habit of receipting for them as they were driven in.

Q-26. Did you think you were bound under that contract to receive poor or diseased beef unfit for use?

A—26. I did not.

Q—27. What was the penal sum mentioned in Mr. Henry's contract?

A—27. I do not now remember.

Q—28. What was the name of the attorney with whom you consulted with reference to this matter?

A—28. I consulted with J. W. McMillan of St. Louis, and E. L. King of this city.

Q—29. Did you consult with them or either of them previous to or after you had annulled this contract?

A—29. Previous thereto.

Q—30. What was the market price of beef, gross and net, in this market, at the time you made this contract?

A—30. I cannot say, but based my action on the St. Louis market.

Q—31. What was the gross and net price of beef in that market then?

A—31. I cannot say precisely, but think from (4½) four and a half to (6½) six and a half cents per pound gross.

Q—32. What is the name of the present contractor?

A—32. R. D. Hunter.

Q—33. Where does he reside?

A—33. In Chillicothe, Missouri?

Q—34. Have you any knowledge as to where the cattle come from which he furnishes?

A—34. I think they come from Texas.

Q—35. How long have you known Mr. Hunter?

A—35. About five years.

Q—36. Is he a relative of yours?

A—36. He is not.

Q—37. In what county did you reside previous to your being appointed Factor?

A—37. In Livingston county.

Q—38. Col. Swain, state to the committee whether you have made any contract with reference to the purchase of corn for the use of the Penitentiary?

A—38. I have not purchased an ear of corn since I took charge. Mr. Lewis, the Clerk, purchased about fifteen barrels during my absence the other day from Mr. Obermayer at 55 cents per bushel.

Q—39. Please state whether you have made any preliminary arrangement for the purchase of corn at eighty (80) cents per bushel, or at any price, or has any one under your control?

A—39. I have not, nor has any one by my authority.

Statement of W. J. Smith, Assistant Commissary:

Q—1. Mr. Smith, what position have you held here?

A—1. Commissary and assistant commissary.

Q—2. How long have you held that position?

A—2. Since September 1st, 1870.

Q—3. Are you still employed in that position?

A—3. I am assisting Mr. Adams, the commissary.

Q—4. What was the quality of the beef furnished by Mr. Henry, the late contractor?

A—4. I did not consider it good beef.

Q—5. How did the quality of that last furnished compare with that first furnished?

A—5. It was better—that is, the last few head were better.

Q—6. Was it wholesome, or what you would consider suitable for convicts?

A—6. I never knew any diseased cattle furnished.

R—7. Was there any complaint from the Factor or any one else about the quality of the beef furnished?

A—7. Not to my knowledge. Capt. Steininger, the Factor, told me not to be too hard on the contractor, as he had to furnish beef at a very low figure.

Q—8. Did you always weigh these cattle?

A—8. Usually I did, though occasionally Capt. Steininger weighed them.

Q—9. What class of cattle were they?

A—9. I hardly know how to answer that.

Q—10. Were they cows, or two or three year olds?

A—10. They were principally cows.

Q—11. Were they dry cows?

A—11. They were with a few exceptions. Some few milch cows were received, a few of which remain, and one being milked.

Q—12. How many head of cattle did you usually weigh at a time?

A—12. I cannot say, but think from five to eight head.

Q—13. What was about the average weight of those cattle?

A—13. I cannot say, but think from six to eight hundred pounds gross.

Q—14. On an average how many of those cattle did you have butchered per day or week?

A—14. From eight to twelve head per week, until we got to using salt beef, since then not so much.

Q—15. How many hundred pounds did you usually use per day?

A—15. From eight to ten hundred pounds per day.

Q—16. Did you issue fresh beef every day of the week?

A—16. We did, until we begun to use salt beef, with the exception of holiday occasions, when we usually had pork.

Q—17. Have you any knowledge of the net weight of those beeves?

A—17. I think from forty-three to fifty pounds net for every hundred pounds gross.

Q—18. What is the usual net weight of beef cattle?

A—18. I believe from forty-four to fifty per cent of the gross weight.

Q—19. Have you issued any beef furnished by Mr. Hunter?

A—19. I have not. Mr. Henry furnished some for Mr. Hunter until he could get his here.

Q—20. Did you weigh that?

A—20. I did.

Q—21. How many quarters were there, and what did they aggregate?

A—21. There were sixteen quarters and they aggregated sixteen hundred and eighty-two pounds.

Q—22. What was the quality of the beef?

A—22. It was good.

Q—23. Who butchered the cattle furnished by Mr. Henry?

A—23. It was done by convict labor.

Q—24. What was done with the hides?

A—24. We salted them and sold them to Mr. Henry up to about two months since. He took them away every fifteen days.

Q—25. Do you know the amount received for hides?

A—25. I do not.

Q—26. By Mr. Wielandy. Are you acquainted with the quality of beef furnished in former years?

A—26. I am.

Q—27. Was the quality of beef furnished by Mr. Henry similar to that furnished in former years by the several contractors?

A—27. I think it would compare favorably, and I think it better than some of that furnished two or three years since.

Q—28. Where does Mr. Henry reside?

A—28. In Jefferson City;

Which was read, and, on motion,

Recommitted to Committee on Penitentiary, with instructions to report by bill or otherwise.

On motion, leave of absence was granted Mr. Davis for three days.

Mr. Hooper for four days.

Mr. Bass for three days.

On motion of Mr. Bell,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, FEBRUARY 24, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Olaiborne,
The further reading of the journal was dispensed with.

Mr. Gates rose to a question of privilege, explaining his reasons for introducing a bill for the formation of Bourbon county.

Mr. Latshaw rose to a question of privilege, making a personal explanation.

Mr. Olaiborne introduced the following resolution :

WHEREAS, The liberal internal improvement policy inaugurated in this State by the General Assembly in the year 1851, continued and carried out in 1852 3-4-5 6-7 and 8, developed the resources and advanced the interests of Missouri by doubling her population and wealth; and,

WHEREAS, Every county and section of the State has been taxed for and in the interest of internal improvement, whilst many counties and large districts of this commonwealth have not received any of the immediate benefits of our railroad system; and,

WHEREAS, It is believed that by judicious legislation and the aid of the State that the Osage, Gasconade, Current, Black, St. Francis, Meramec, Chariton and Grand rivers, can be made navigable streams, thereby making Missouri the most desirable State in the American Union; now, therefore, be it

Resolved, That the Committee on Constitutional Amendments be instructed to inquire into the expediency of submitting at the next general election to the qualified voters of this State, an amendment to the Constitution, that would, if adopted, enable the Legislature to appropriate direct, or loan the credit of the State to an amount not exceeding seven and a half millions of dollars to existing, or corporations that may hereafter be organized, for the purpose of improving our rivers and building branch railroads in and through sections of Missouri now remote from our great lines of railroads and navigable streams;

Which was read, and, on motion,

Referred to Committee on Constitutional Amendments.

The morning hour was passed over under suspension of the rules.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 165, entitled

An act to establish a common pleas court in Vernon county,

Report that they have had the same under consideration, and have instructed me to report it back to the House with recommendation that it do pass;

Which was read.

House bill No. 165, entitled

An act to establish a common pleas court in Vernon county,

Was taken up and laid over for its third reading.

Mr. Shields of the Committee on Constitutional Amendments submitted the following report:

HOUSE OF REPRESENTATIVES,
City of Jefferson, Mo., February 21, 1871.

To the Honorable, the Speaker and the Members of the House of the 26th General Assembly:

Your committee on the Constitution to whom was referred

House bill No. 69, entitled

An act to call a Constitutional Convention, in obedience to a resolution introduced by the gentleman from Jefferson, which passed this House, which said resolution is in words and figures following, to wit:

Resolved, That the present condition of things in Missouri requires a new Constitution more in accordance with the spirit of the

times, and in order that there may be more safeguards thrown around the liberties of the people, it is expedient to call a Constitutional Convention, and the Committee on Constitutional Amendments, be and they are hereby instructed to report a bill for that purpose at as early a day as possible,

Have had under consideration said House bill, No. 69, and after a careful consideration thereof, have instructed me to make the following report thereon, and suggest the following amendments thereto:

First, Amend section No. 1, by striking out the words "Tuesday, the 4th day of April, 1871," and insert in lieu thereof, "the 1st Tuesday in May."

Second, Section No. 2, by striking out the words "to hold and" after the words "commanding them," and insert the word "to" in lieu thereof, and further by inserting after the words "of an election," the words "to be held."

Third, Amend section four, by striking out after the words "by the same," the word "county."

Fourth, Amend section five, by inserting after the words "shall be certified," the words, "by the proper officers," and further by striking out all the words, "certified to the Governor."

Fifth, Amend section ten, by striking out all the words after the word "passage."

Sixth, Amend the title by inserting after the words "State of Missouri," the words, "and to provide for the election of delegates thereto if such convention shall be held."

While your committee are divided in sentiment as to whether or not this bill should pass, they believe that the resolution above recited leaves no alternative but to report a bill for the purposes of such resolution, and believing that House bill No. 69, with the amendments suggested will meet the exigencies of the case, they have instructed me to report the same with the amendments suggested, and recommend the adoption of such amendments.

GEO. H. SHIELDS, *Chairman.*

There being a difference of opinion on the subject of the passage of this bill among the members of the committee, the majority of the committee beg leave to report that they have carefully examined the provisions of this bill, and with the suggested amendments recommend its passage.

JOHN L. THOMAS,
M. C. BROWN,
N. O. CLAIBORNE,
HENRY J. LATSHAW,
M. C. SHEWALTER,
S. C. COLLIER,
J. P. COLCORD,
ED. W. TURNER.

To the Honorable Speaker and members of the House of Representatives of the 26th General Assembly:

The minority of the Committee on Constitutional Amendments, to whom was referred the

House bill No. 69,

In relation to calling a Constitutional Convention,

Have had the same under consideration, and beg leave to report as follows:

On account of the tendency of the discussion of such a question to arouse all the slumbering passions of the past ten years, and to unsettle the public mind, on account of the fact that a large portion of the inhabitants of the State lately enfranchised could not be directly represented in such convention if it be called; on account of the fact that the several elections in regard to such convention would occur in the busy farming seasons, and the voting, public meetings and discussions thereof, would tend to cause neglect of the agricultural and farming interests of the State; on account of the fact that the people of this State have within four months voted by unusual majorities to remove all obnoxious features in the constitution, and to modify it so as to meet the exigencies of the times; on account of the fact that no provision of the present constitution as amended is so wrong or oppressive as to demand immediate repeal; on account of the fact of the great expense to the State necessarily incurred in the elections, the pay of the convention, of its officers, the printing of its proceedings, the necessary revision and republication of the Statutes, and other items of expense; and on account of the present large taxation of the people of the State, and for other considerations, we, the minority of the Committee on the Constitutional Amendments, beg leave to enter our protest against the passage of this bill at the present time, and to recommend that the bill with its amendments be indefinitely postponed.

GEO. H. SHIELDS,
W. S. POPE,
J. H. BURROWS,
J. D. ABBEE.

Which were read.

House bill No. 69, entitled

An act to call a constitutional convention;

Was taken up, and, on motion,

Made special order for Wednesday, March 1, 1871.

Mr. Pope, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: The Committee on Benevolent and Scientific Institutions have had under consideration

House bill No. 161, and the substitute therefor,

And have directed the chairman to report back to the House the original bill, together with the substitute, and recommend the passage of the substitute,

Which was read.

House bill No. 161, entitled

An act to provide for the security of persons in public buildings and in other buildings or places of public resort;

Was taken up, together with the amendment by way of substitute as recommended by the committee;

Which was read, and on motion,

Laid over and 150 copies ordered printed.

Mr. Pope, of the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: The Committee on Benevolent and Scientific Institutions have had under consideration

House bill No. 287,

And the chairman has been directed to report the same back to the House, and recommend its passage;

Which was read.

House bill No. 287, entitled

An act to establish a board of guardians for the supervision of public, charitable, reformatory and penal institutions, and prescribing its duties;

Was taken up, and, on motion,

150 copies ordered printed.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary to whom was referred

Senate bill No. 127, entitled

An act to change the time of holding court in the tenth judicial circuit;

Have had the same under consideration, and directed me to report the same back to the House with the recommendation that it pass;

Which was read.

Senate bill No. 127, entitled

An act to change the time of holding the tenth judicial circuit;

Was taken up, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Claiborne, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Pettis, Pauley, Pepe, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—109.

NOES—None.

Absent—Messrs. Bass, Bittinger, Buller, Butler, Chilton, Colcord, Crockett, Fassen, Hutt, Kitchen, Mitchell, Mortell, Sloan, Smith, Walker, and Williams of Audrain—16.

Absent with leave—Messrs. Clark, Davis, Dent, Eubanks, Hammett, Hooper, Maupin, Ming, Newman, and White of Texas—10.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Sanford moved to reconsider the vote by which the bill passed,

Mr. Sanford moved to lay his motion to reconsider on the table;
Which was agreed to.

On motion, leave of absence was granted to Messrs. Claiborne, Langston, Randall, Moore, Marlin, Walker and Barrett.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following reports:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that the following bills have been presented to the Governor for his approval:

Substitute for House bill No. 128, entitled

An act to establish a probate and common pleas court in the county of Perry;

And House bill No. 96, entitled

An act to provide for appeals and writs of error in civil cases and concerning practice in the Supreme Court, and repealing chapter one hundred and thirty-five of the General Statutes, and an act entitled an act to amend section nine, of chapter one hundred and seventy-two, of title thirty four, of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868.

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House concurrent resolution No. 31, entitled

Of respect to the memory of Washington;

Also, Substitute for House bill No. 128, entitled

An act to establish a probate and common pleas court in the county of Perry;

Also, House bill No. 96, entitled

And act to provide for appeals and writs of error in civil cases and concerning practice in the Supreme Court, and repealing chapter one hundred and thirty-five, of the General Statutes, and an act entitled an act to amend section nine, of chapter one hundred and seventy-two, of title thirty-four, of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868;

Which were read.

Mr. Frost, of the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER: Your Committee on Mines and Mining have had under consideration

House bills No. 182 and 274,

And have carefully considered the same and have instructed me to report the accompanying substitute, said bills, being

An act to provide for a bureau of geology and mines, to complete the geological survey of the State of Missouri,

And recommend that it do pass.

House bills No. 182 and 274, entitled

An act to provide for a bureau of geology and mines to complete the geological survey of the State of Missouri,

Was taken up, together with an amendment by way of substitute as recommended by the committee;

Which was read, and, on motion,

One hundred and fifty copies ordered printed, and made special order for Tuesday, February 28, 1871, at 11 o'clock, A. M.

Mr. Abington, of the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 99, entitled

An act to amend sections two and three of chapter one hundred and seventy-seven of General Statutes of State of Missouri, and to repeal an act entitled "an act to enlarge the jurisdiction of justices of the peace, approved March 21, 1868,

Have had the same under consideration, and recommend that the following substitute for it do pass;

Which was read.

House bill No. 99, entitled

An act to amend sections two and three of chapter one hundred and seventy-seven of the General Statutes of Missouri,

Was taken up, together with an amendment by way of substitute;

Which was read, and,

One hundred and fifty copies ordered printed.

Mr. Bunch introduced a bill entitled

An act to repeal an act entitled an act to amend chapter fifty-five of the General Statutes of Missouri, approved February 27, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Van Roden introduced a bill entitled

An act to amend an act entitled an act to organize the Iron-ton Mining Company;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Mines and Mining.

Mr. Wielandy, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred

House bill No. 31, entitled

An act to exempt certain territory from the provisions of an act to prevent the introduction into the State, of Texas, Mexican or Indian cattle, during certain seasons of the year, approved February 26, 1869;

Have had the same under consideration, and have instructed me to report that they recommend that the same be referred to the Committee on Judiciary, together with accompanying substitute;

Which was read.

House bill No. 31, entitled

An act to exempt certain territory from the provisions of an act to prevent the introduction into this State, of Texas, Mexican or Indian cattle during certain seasons of the year, approved February 26, 1869,

Was taken up, together with an amendment by way of substitute;

Which was read:

Mr. Wielandy, of the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred

House bill No. 222, entitled

An act to amend an act entitled an act to prevent the introduction into this State, of Texas, Mexican or Indian cattle, during certain seasons of the year, approved February 26, 1869,

Have directed me to report that they have had the same under consideration, and that they recommend that the same do pass;

Which was read.

House bill No. 222, entitled

An act to amend an act entitled an act to prevent the introduction into this State, of Texas, Mexican or Indian cattle, during certain seasons of the year,

Was taken up, read, and on motion,

Laid over informally.

Mr. Cloud introduced a bill entitled

An act for the relief of the trustees of the Carthage Female Academy;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Gates offered the following resolution:

Resolved, That 300 copies of the report of the Inspectors of the Penitentiary be printed for the use of the members of this House;

Which was read and adopted.

Mr. Knott, of the select committee to whom was referred substitute for House bills Nos. 71, 133 and 268, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

Substitute for House bills Nos. 71, 133 and 268,

Have had the same under consideration and beg leave to report a substitute therefor, and recommend that the substitute do pass:

Which was read, together with an amendment by way of a substitute as recommended by the committee.

Which was read the first time, the rules suspended, read the second time, when

Mr. Hubbell moved that the rules be further suspended, the substitute be considered engrossed, read the third time and be put on its passage.

Mr. Neal demanded the ayes and noes, and the rules were suspended by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bittinger, Borg, Bosby-

shell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Claiborne, Cloud, Colcord, Collier, Dean, Doak, Dod, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Harmon, Hardin, Howell, Hubbell, Hutt, Knott, Koch, Latshaw, Leeper, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Mullings, Murphy, Murray, Norris, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Shafer, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain Worden and Mr. Speaker—88.

NOES—Messrs. Adams of Gentry, Asher, Bennett, Bohn, Brown of Monroe, Burton, Coleman, Dolman, Fassen, Gray, Hickman, Kost, Lamson, Leach, Logan, Martin of Caldwell, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Neal, O'Bannon of Pettis, Sanford, Scoville, Sloan, Wilkes and Williams of Morgan—27.

Absent—Messrs. Langston and Myers—2.

Absent with leave—Messrs. Abbee, Bass, Butler, Chilton, Clark, Crockett, Davis, Dent, Eubanks, Hooper, Kitchen, Ming, Mortell, Newman, Smith, Walker and White of Texas—17.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

The substitute was read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Claiborne, Cloud, Colcord, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mullings, Murphy, Murray, Myers, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalter, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—Messrs. Adams of Gentry, Fassen, Moore of Livingston, Neal, Sanford, Sloan and Wilkes—7.

Absent—Messrs. Abbee, Davis, Smith and Walker—4.

Absent with leave—Messrs. Bass, Chilton, Clark, Crockett, Dent, Eubanks, Hammett, Hooper, Kitchen, Ming, Mortell, Newman and White of Texas—13.

Sick—Messrs. Butler, Gratiot and O'Bannon of Dallas—3.

Mr. Knott moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Marshall, of the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

House bill No. 298, entitled

An act to amend sections twenty-five and twenty-six of chapter forty-eight, title seventeen, of the General Statutes, being sections twenty-five and twenty-six, chapter eighty-four, Wagner's Missouri Statutes, in relation to swamp lands,

Have had the same under consideration, and have instructed me to report the same back to the House with a recommendation that the same do pass;

Which was read.

House bill No. 298

Was taken up and laid over, and 150 copies ordered printed.

The following communication from his Excellency Governor B. Gratz Brown, was received by his private secretary, Mr. Judson:

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bill from the House:

An act to establish a probate and common pleas court in the county of Perry.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Richardson offered the following resolution:

Resolved, That Saturday, the 25th inst., be devoted to the introduction of bills for reference only, and the reports from committees and the passage of local bills;

Which was read and adopted.

On motion,

Leave of absence was granted to Mr. Breazeale until Monday next.

The hour for special order having arrived, being the consideration of

Senate bill No. 43, entitled

An act to regulate and provide for the inspection of tobacco,

Was taken up.

Mr. McMillan offered the following amendment:

Amend at the second line by substituting the word "for" in lieu of the word "in" after the words "shall appoint;"

Which was read.

Pending which,

On motion of Mr. Mullings,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

The House resumed the consideration of Senate bill No. 48, in relation to inspection of tobacco.

Mr. Stone offered the following substitute.

There is hereby established in the city of St. Louis a tobacco inspection. The Governor shall appoint an inspector of tobacco for the State of Missouri, who shall, during the term of his office reside in the city of St. Louis, and who shall hold his office for two years. Said inspector shall be a discreet, suitable person, and shall not be interested in any of the tobacco warehouses selling leaf tobacco in the city of St. Louis as a stock holder, or otherwise than as tobacco inspector;

Which was read.

Mr. McMillan, by leave, withdrew his amendment.

Mr. Stone, by leave, withdrew his substitute.

Mr. Bosbyshell offered the following amendment:

Amend by striking out "inspector," in second line, and insert "two inspectors," and strike out "his," and insert "their,"

Which was read.

Mr. Edens offered the following amendment to the amendment:

Amend by striking out "an," in the second line, and insert "three;" change "inspector" to "inspectors," wherever it occurs, and change "his" to "their," wherever it occurs referring to inspectors;

Which was read.

Mr. Neal offered the following substitute:

Strike out all after line one, and insert "The Governor, by and with the consent of the Senate, shall appoint an inspector for such inspection, who shall not, at the time of his appointment be a citizen of the city of St. Louis. Said inspector shall be a discreet, suitable person, well acquainted with the growth and management of tobacco, and shall not be interested in any of the tobacco warehouses selling leaf tobacco in the city of St. Louis, as a stockholder, or otherwise than tobacco inspector.

Which was read.

Mr. Shafer moved to reject the amendments and substitute.

Which was agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed Substitute for House bill No. 81, entitled

An act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits;
Which was read.

Mr. Buller offered the following amendment:
Amend section seven, line two, by striking out the word "shall," and inserting "may;"
Which was read and rejected.

Mr. Edens offered the following amendment:
Amend by adding after the word "hogsheads," in the second line "for sale;"
Which was read and rejected.

Mr. Kost offered the following amendment:
Amend section eleven, line six, by striking out "Missouri State tobacco inspection," and inserting in lieu thereof the following: "St. Louis, Mo., tobacco inspection;"
Which was read and rejected.

Mr. Dean offered the following amendment:
Amend section twelve to read as follows:
SECTION 12. The tare weight shall be deducted from the gross weight; the remainder shall be the net weight, and the inspector shall in all cases deliver to the owner or the purchaser of any hogshead of tobacco that shall have been weighed under the superintendence of the inspector, and the net weight registered and marked on such hogshead of tobacco; he shall be responsible to the purchaser, owner, or agent of the same for the net weight of tobacco so registered and marked on such hogshead of tobacco;
Which was read and rejected.

Mr. McMillan offered the following amendment:
Add a new section
SECTION 24. Nothing in this act shall be so construed as to prevent any other town, city, or county from establishing a tobacco inspection, when twenty-five free-holders shall petition the Governor for the appointment of a tobacco inspector for such local inspection; *provided*, said inspector, so appointed by the Governor, shall be subject to all the provisions of this act relating to the qualifications, duties and fees of the tobacco inspector for the city of St. Louis, except so far as regards the matter of residence and filing his bond;
Which was read and adopted.

Mr. Dolman offered the following amendment:
Amend by adding
SECTION 25. The warehouse fees shall not exceed two (2) dollars for each hogshead;
Which was read and adopted.

The bill as amended was read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe,

Buckham, Buckley, Bunch, Burrows, Burton, Cloud, Coleman, Dean, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Lamson, Leach, Leeper, Logan, Marshall, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mullings, Murray, Myers, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy Wight of Vernon, Williams of Audrain Williams of Morgan Worden and Mr. Speaker—88.

NOES—Messrs. Asher, Bohn, Kost, Martin of Caldwell, Moore of Livingston, Wilkes—6.

Absent—Messrs. Abbee, Alsop, Bradshaw, Buller, Girdner, Sloan and Smith—7.

Absent with leave—Messrs. Bass, Breazeale, Butler, Chilton, Claiborne Clark, Colcord, Collier, Crockett, Davis, Dent, Doak, Eubanks, Fassen, Hammett, Hardin, Hooper, Kitchen, Koch, Langston, Latshaw, Marlin, Martin of St. Louis, McAllister, Ming, Mortell, Murphy, Neal, Newman, Randall, Shewalter, Shields, Walker and White of Texas,—34.

Sick—Mr. Gratiot and O'Bannan of Dallas,—2.

Mr. Knott moved to reconsider the vote by which the bill passed, and have that motion entered upon the journal.

Mr. Mullings moved to lay the motion to reconsider on the table; Which was not agreed to.

Mr. Brown of Howard, called up Mr. Knott's motion to reconsider the vote by which Senate bill No. 48, passed.

The motion to reconsider was agreed to.

Mr. Knott moved to reconsider the vote by which the bill went to its third reading;

Which was agreed to.

Mr. McMillan offered the following amendment:

Amend section twenty-five, line two, by inserting the word "three" in place of "two," and adding at the end of the section the words "including the inspection fees at any one office;"

Which was agreed to.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Bunch, Burton, Cloud, Coleman, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hickman, Hutt, Knott, Lamson, Leeper, Logan, Marshall, Maupin, Mabrey, McMillan, Miller, Mitchell, Moore of Stone, Mullings, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—81.

NOES—Messrs. Asher, Bohn, Harmon, Kost, Martin of Caldwell, Moore of Livingston and Wilkes—7.

Absent with leave—Messrs. Bass, Bradshaw, Breazeale, Buckham, Burrows, Butler, Chilton, Olaiborne, Clark, Colcord, Collier, Crockett, Davis, Dent, Eubanks, Fassen, Frost, Hammett, Hardin, Hooper, Howell, Hubbell, Kitchen, Koch, Langston, Latshaw, Leach, Marlin, Martin of St. Louis, McAllister, McPike, Ming, Mortell, Murphy, Neal, Randall, Rolston, Shewalter, Shields, Sloan, Smith, Walker, White of Texas and Williams of Audrain— .

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Bulkley offered the following amendment to the title of the bill:

Amend by adding "and to regulate warehouse fees;"

Which was agreed to.

Mr. Knott offered the following amendment to the title:

Amend by adding "and repealing chapter one hundred and four, General Statutes, 1865;"

Which was agreed to.

On motion, leave of absence was granted to Messrs. Sanford and Goodson for one day.

Mr. Martin of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

Substitute for House bill No. 81, entitled

An act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits.

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have presented to the Governor for his approval,

Substitute for House bill No. 81, entitled

An act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits;

Which were read.

Mr. Frost called up

Senate bill No. 98, entitled

An act to amend an act entitled an act to locate and dispose of the congressional land grant of July 2, 1862, to endow, support and maintain schools of agriculture and the mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, approved February 24, 1870,

Was taken up, and made the special order for Thursday, March 2, 1871, at 11 o'clock, A. M., and 150 copies ordered printed.

Mr. Pauley introduced a bill entitled

An act to establish public measures and a standard of measurement;

Which was taken up read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Manufactures.

Mr. Gates introduced a bill entitled

An act in relation to the publication of notices in judicial sales;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Richardson, chairman of Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims to whom was referred House bill No. 26, being

An act to provide for the payment of the special taxes assessed against the lands of the Missouri Institution for the Education of the Blind in the city of St. Louis;

Have had the same under consideration, and instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 26, entitled

An act to provide for the payment of the special taxes assessed against the lands of "Missouri Institution for the Education of the Blind" in the city of St. Louis, in conformity to the laws and ordinances concerning the improvement of streets and alleys in the city;

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Cloud, Coleman, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Stancil, Steel, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—92.

NOES—None.

Absent with leave—Messrs. Abbee, Auer, Bass, Beltrami, Borg, Bradshaw, Breazeale, Bulkley, Burton, Butler, Chilton, Claiborne, Clark, Colcord, Collier, Crockett, Davis, Dent, Edens, Eubanks, Fassen, Hackman, Hammett, Hardin, Hooper, Kitchen, Koch, Langston, Latshaw, Logan, Marlin, McAllister, Ming, Mortell, Murphy, Neal, Randall, Ray, Sloan, Smith, Sorrell, Walker, and White of Texas—

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Pope introduced a bill entitled

An act to amend an act entitled an act to amend section six, of chapter ninety three of the General Statutes, concerning merchants and their license;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Pope introduced a bill entitled

An act to provide for a special election in St. Louis county for the purpose of electing a county treasurer of said county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Bitteringer introduced a bill entitled

An act to provide for railroad commissioners, and defining their duties;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Ballard introduced a bill entitled

An act to establish a free ferry in Platte county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 234, entitled

An act to amend an act entitled an act to incorporate the city of Springfield, and more fully define its powers, approved December 13, 1855, and to repeal an act amendatory thereof, approved March 23, 1868, and to revive section one, of article four, and sections one, two, three, four, five, six, seven and eight, of article eight of said above recited act;

Beg leave to report that they have had the same under consideration, and return it to the House with a substitute therefor, with the recommendation that the substitute do pass;

Which was read.

House bill No. 234, entitled

An act to incorporate the city of Springfield and more fully define its powers,

Was taken up, with the amendment by way of substitute as recommended by the committee,

Was read and agreed to.

The bill as amended was read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barrett, Bennett, Bitteringer, Bohn-Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Cloud, Coleman, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Howell, Hubbell, Hutt,

Knott, Kost, Lamson, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—89.

NOES—None.

Absent—None.

Absent with leave—Messrs. Abbee, Auer, Barnes, Bass, Bell, Beltrami, Borg, Bradshaw, Breazeale, Burton, Butler, Chilton, Claiborne, Clark, Colcord, Collier, Crockett, Davis, Dent, Edena, Eubanks, Fassen, Hammett, Hardin, Hooper, Kitchen, Koch, Langston, Latshaw, Logan, Martin of St. Louis, McAllister, Ming, Moore of Stone, Mortell, Murphy, Murray, Myers, Randall, Ray, Sloan, Smith, Sorrell, Turner, Walker and White of Texas—46.

Sick—Messrs. Gratiot, and O'Bannan of Dallas—2.

Mr. Shields introduced a bill, entitled

An act to amend the charter and establish the boundaries of the city of Hannibal, Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Dolman introduced a bill entitled

An act to abolish the Brunswick court of common pleas, and to establish a court of common pleas at Brunswick in its stead, with criminal jurisdiction;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Shafer moved to adjourn until seven o'clock, p. m., and then adjourn until 10 o'clock, Monday morning;

Which was not agreed to.

Mr. Bulkley introduced a bill entitled

An act to repeal an act entitled an act to establish a road district in New London, Ralls county;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Asher, Ballard, Barrett, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Claiborne, Cloud, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Howell, Hubbell, Knott, Kost, Lamson, Leach, Marshall,

Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—85.

NOES—None.

Absent—Messrs. Abbee, Abington, Auer, Barnes, Bell, Beltrami, Brown of Howard, Chilton, Clark, Colcord, Coleman, Collier, Edens, Fassen, George, Hardin, Hutt, Kitchen, Koch, Latshaw, Leeper, Logan, Mortell, Murray, Myers, Neal, Sides, Sloan, Smith, Sorrell, Walker and Williams of Audrain—32.

Absent with leave—Messrs. Alsup, Bass, Bradshaw, Breazeale, Butler, Crockett, Davis, Dent, Eubanks, Hooper, Langston, Marlin, McAllister, Ming, Raney, Randall, and White of Texas—17.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Thomas introduced a bill entitled
An act to provide for the execution of deeds for lands held for taxes in certain cases;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Judiciary.

Mr. Thomas introduced a bill entitled
An act to amend section one of chapter one hundred and twenty-nine of the General Statutes of Missouri, the same being section one of chapter fifty-four of Wagner's Statutes;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Leach introduced a bill entitled
An act for the relief of Kasten Buschman;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Claims.

Mr. Von Kochtitzky introduced a bill entitled
An act to provide for the safe keeping of arms in the hands of the organized Missouri Militia, and for compensation therefor;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Militia.

Mr. Ballard introduced a bill entitled
An act to establish a free ferry in Platte county;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Local Bills.

Mr. Thomas offered a concurrent resolution entitled
Concurrent resolution memorializing Congress to take action in relation to Indian depredations;
Which was read, and, on motion,
Referred to Committee on Federal Relations.

Mr. Shafer moved a call of the House;
The following gentlemen answered to their names:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Cloud, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Howell, Hubbell, Knott, Kost, Lamson, Leach, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wieldy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—88.

Absent—Messrs. Abbee, Abington, Auer, Beltrami, Borg, Brown of Howard, Chilton, Colcord, Coleman, Collier, Edens, Hardin, Hutt, Kitchen, Koch, Leeper, Logan, McAllister, Mortell, Myers, Neal, Sides, Smith, Sorrell and Williams of Audrain—25.

Absent with leave—Messrs. Barnes, Bass, Bradshaw, Breazeale, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Hooper, Langston, Latshaw, Marlin, Ming, Randall, Sloan, Walker and White of Texas—20.

Sick—Messrs. Butler, Gratiot, Hammett and O'Bannon of Dallas—4.

Mr. Knott moved that the Sergeant-at-Arms be instructed to bring the absentees before the bar of the House;

Which was agreed to.

Mr. McMillan moved to dispense with the further call of the House;

Which was not agreed to.

Pending the call of the House,

The House,

On motion of Mr. Mullings,

Adjourned until 10 o'clock to-morrow morning.

SATURDAY, FEBRUARY 25, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Leach,
The further reading of the journal was dispensed with.

Mr. Stone introduced a bill entitled
An act in relation to the collection of special tax bills in the city
of St. Louis issued for street and alley work and for constructing district
sewers;

Which was read the first time, rules suspended, read the second
time, and, on motion,

Referred to St. Louis delegation.

Mr. Stone presented a petition of the citizens of St. Louis asking
for the passage of an act at the present session providing for the enforcing
the payment of judgments rendered by justices of the peace
on special tax bills by execution, levy and sale;

Which was read, and, on motion,
Referred to St. Louis delegation.

Mr. Borg introduced a bill entitled
An act to provide for the removal of the aldermen of the first and
twelfth wards of the city of St. Louis, and to provide for filling the
vacancies thereby created;

Which was read the first time, rules suspended, read the second
time, and, on motion,

Referred to St. Louis delegation.

Mr. Hubbell gave notice that he would on to-morrow, or some
subsequent day introduce

A bill to amend section fifty-seven, act of 1870, relating to public
schools, the same being section fifty-seven, article one, chapter one
hundred and twenty-three, Wagner's Statutes. The object of the
amendment is to reduce the pay of the county school superintendents.

Mr. O'Bannon of Pettis introduced a bill entitled

An act to amend an act entitled an act amendatory and explanatory
of the several acts to incorporate the city of Sedalia, in Pettis
county, Missouri, including all amendments heretofore made, as well
as those now made, approved February 21, 1870;

Which was read the first time, the rules suspended, read the second
time, and, on motion,

Referred to Committee on Local Bills.

Mr. Shields introduced a bill entitled

An act to amend chapter ninety-eight of the General Statutes of Missouri, entitled "of dramshop keepers and their license," being chapter forty-eight of Wagner's Statutes, by adding a section thereto;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

The following message was received from the Senate, by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House concurrent resolution No. 14, entitled

Concurrent resolution of instruction as to the improvement of the Osage river,

And passed the inclosed substitute therefor;

Also, there has been introduced into the Senate and passed that body

Senate bill No. 148, entitled

An act to amend the second section of chapter one hundred and fifty-one of the General Statutes of Missouri;

In which the concurrence of the House is respectfully requested.

Which was read.

House concurrent resolution No. 14, entitled

Concurrent resolution of instructions as to the improvement of the Osage river,

Was taken up, together with the Senate amendment by way of substitute.

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Senate bill No. 148, entitled

An act to amend the second section of chapter one hundred and fifty-one of the General Statutes of Missouri,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Shields introduced a bill entitled

An act to amend chapter sixty of the General Statutes of Missouri, entitled "of county agricultural and mechanical societies," being article two of chapter four of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture.

Mr. Bunch introduced a bill entitled

An act authorizing the assessor of Taney county to perfect the assessment of 1870, on real estate;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Harmon gave notice that he would on Monday or some sub-

sequent day, introduce a bill to restrain hogs and sheep from running at large;

Also a bill amendatory to the laws on fences and enclosures.

Mr. Schooley introduced a bill entitled

An act to amend section thirty-four, chapter one hundred and twenty-one of the General Statutes of Missouri, the same being section thirty four, article two, chapter two of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Sorrell introduced a resolution entitled

Concurrent resolution providing for the election of a Commissioner of Permanent Seat of Government;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burton, Butler, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Gray, Hackman, Howell, Hubbell, Hutt, Kitchen, Knott, Leach, Leeper, Logan, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Myers, Newman, O'Bannon of Pettis, Pauley, Raney, Rolston, Samuel, Schooley, Sharp, Shewalter, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—71.

NOES—Messrs. Asher, Bittinger, Bohn, Bulkley, Harmon, Lamson, Moore of Livingston, Norris, Robinson, Shields, Steele and Wilkes—12.

Absent—Messrs. Auer, Dolman, Koch, Langston, Latshaw, Martin of Caldwell, Martin of St. Louis, Moore of Stone, Mortell, Mullings, Murphy, Murray, and Pope—13.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Breazeale, Burrows, Claiborne, Clark, Colcord, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hardin, Hickman, Hooper, Kost, Marlin, Ming, Neal, Randall, Ray, Richardson, Sanford, Scoville, Shafer, Sloan, Smith, Squires, Walker and Williams of Morgan—34.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

Mr. Ballard introduced a bill entitled

An act entitled an act to vacate the office of judge of the probate court of Pettis county, and changing the time of electing a judge of said court;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Ballard introduced a bill entitled

An act to amend an act entitled an act to establish a probate court in Platte county, Missouri, approved December 13, 1855;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Beltrami introduced a bill entitled

An act entitled an act to expedite the construction of a railroad from Ste. Genevieve, on the Mississippi river, across the State by the way of Farmington, Saline, Lebanon, Buffalo, and Nevada City, to Fort Scott, in the State of Kansas;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements, and 150 copies ordered printed,

Mr. Shields introduced a bill entitled

An act to amend section seven of chapter sixty of the General Statutes of Missouri, entitled "of county agricultural and mechanical societies," being section seven of article two of chapter four of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Agriculture.

On motion of Mr. Knott,

Senate bill No. 105, entitled

An act regulating the State Sinking Fund,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

On motion of Mr. Knott,

Senate bill No. 85, entitled

An act to amend section forty-seven of chapter one hundred and sixty-five of the General Statutes of Missouri,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

On motion of Mr. Knott,

Senate bill No. 92, entitled

An act to amend an act entitled an act to amend section six of chapter ninety-three of the General Statutes, concerning merchants and their license, approved March 26, 1868, being chapter ninety-five of Wagner's Statutes,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

On motion of Mr. Knott,

Senate concurrent resolution No. 22, entitled

Concurrent resolution for adjournment,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Retrenchment and Reform.

On motion of Mr. Knott,
Senate bill No. 25, entitled
An act to amend section one of chapter twenty-one of the General Statutes of Missouri,
Was taken up, and, on motion,
Indefinitely postponed.

On motion of Mr. Knott,
Senate concurrent resolution No. 24,
Requesting the State Board of Immigration to report to this General Assembly,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Immigration.

On motion of Mr. Knott,
Senate bill No. 84, entitled
An act authorizing the formation of union depots and stations for railroads in cities of this State,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Internal Improvements.

On motion of Mr. Knott,
Senate concurrent resolution No. 5, entitled
Concurrent resolution requesting general amnesty,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Federal Relations.

On motion of Mr. Knott,
Senate bill No. 143, entitled
An act supplementary and amendatory of an act entitled an act to incorporate the town of Huntsville, approved March 12, 1859,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Local Bills.

On motion of Mr. Knott,
Senate concurrent resolution No. 27, entitled
To furnish to the Missouri Institution for the Education of the Blind, a copy of Wagner's Statutes, the session acts and House and Senate journal for 1870,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Blind Asylum.

On motion of Mr. Knott,
Senate bill No. 72, entitled
An act to amend section fourteen of chapter one hundred and sixty of the General Statutes of Missouri, and being section fourteen of chapter fifty-five of Wagner's Statutes,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Judiciary.

Mr. Knott called up,
Senate concurrent resolution No. 23, entitled
Concurrent resolution to adopt the report of the committee to
settle with the State Auditor and Treasurer, and for other purposes ;
Which was read the first time, the rules suspended, read the second
time, and, on motion,
Referred to Committee on Ways and Means.

On motion of Mr. Knott,
Senate bill No. 104, entitled
An act to amend an act entitled an act extending the authority
and jurisdiction of the board of health of the city of St. Louis over
the district of country outside of said city, to the extent of three miles
from the corporate limits thereof, approved March 24, 1870,
Was taken up, read the first time, the rules suspended, read the
second time, and, on motion,
Referred to the St. Louis Delegation.

On motion of Mr. Knott,
Senate bill No. 101, entitled
An act to authorize the redemption of Union Military Bonds filed
with the State Treasurer,
Was taken up, read the first time, the rules suspended, read the
second time, and, on motion,
Referred to the Committee on Ways and Means.

Mr. Thomas, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred

House bill No. 11,

Have had the same under consideration and would respectfully
report it back with a substitute therefor, with the recommendation
that the substitute do pass ;

Which was read, together with an amendment by way of substitute
as recommended by the committee ;

Was read and agreed to.

The bill, as amended, was then read the third time and passed by
the following vote :

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate,
Asher, Beltrami, Bennett, Bittinger, Bohn, Brown of Howard, Brown
of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Butler, Chilton,
Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edens,
Edwards, Frost, Gates, George, Girdner, Gray, Harmon, Howell,
Hutt, Kitchen, Knott, Lamson Leach, Leeper, Logan, Maupin, Mabrey,
McAllister, McMillan, McPike, Mitchell, Moore of Livingston,
Murphy, Murray, Myers, Newman, Pauley, Ray, Rolston, Samuel,
Schooley, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas,
Turner, Von Kochitzky, Wielandy, White of Texas, Wight of Vernon,
Williams of Audrain and Mr. Speaker—70.

NOES—Messrs. Abington, Abbee, Ballard, Hackman, Hubbell,
Marshall, Miller, Moore of Stone, Norris, O'Bannon of Pettis, Raney,
Robinson, Sharp, Steele, Van Roden, Wilkes and Worden—17.

Absent with leave—Messrs. Alsup, Barnes, Bass, Bosbyshell, Barrett, Bradshaw, Breazeale, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Hooper, Kost, Langston, Marlin, Martin of Caldwell, Ming, Sanford, Shafer and Walker—24.

Absent—Messrs. Auer, Bell, Borg, Burrows, Colcord, Haas, Hardin, Hickman, Koch, Latshaw, Martin of St. Louis, Mortell, Mullings, Neal, Pope, Randall, Richardson, Scoville, Sloan, Smith, Squires and Williams of Morgan—22.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

On motion of Mr. Knott,
The vote by which the bill passed was reconsidered, and that motion was laid on the table.

Mr. Stone, of the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 9,

An act regulating the indebtedness of counties, cities, incorporated towns and municipal townships, and to provide for the payment of the same,

Have had the same under consideration and unanimously recommend that it do pass with the following amendments;

Which was read.

The bill was made the special order for Thursday, March 2, at 11 o'clock, A. M.

On motion of Mr. Wight of Vernon,

House bill No. 165, entitled

An act to establish a court of common pleas in Vernon county,

Was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Ballard, Barnes, Beltrami, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Butler, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Leach, Leeper, Logan, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—88.

NOES—None.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hooper, Kost, Langston, Marlin,

Mullings, Martin of Caldwell, Martin of St. Louis, Ming, Randall, Sanford, Scoville, Shafer, Walker and Williams of Morgan—30.

Absent—Messrs. Auer, Bennett, Colcord, Dod, Edens, Hardin, Hickman, Latshaw, Mortell, Mullings, Neal, Pope, Richardson, Sloan, Smith and Squires—16.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Title read and agreed to.

Mr. Wight of Vernon moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

On motion, leave of absence was granted to Messrs. Haas, Squires, O'Bannon of Pettis, Worden and Hickman for one day.

Mr. Abington, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your committee has had under consideration House bill No. 127, entitled

Act to amend section three of chapter one hundred and eighty-four of Statutes of Missouri, which is section three of article seven of chapter eighty-two of Wagner's Statutes,

And have authorized me to report the same back with the recommendation that it do not pass;

Which was read.

House bill No. 127

Was taken up and laid over for a third reading.

Mr. Abington, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

House bill No. 49,

Have had the same under consideration, and herewith return it with the recommendation that it do pass;

Which was read.

House bill No. 49, entitled

An act to amend chapter one hundred and eighty of the General Statutes, respecting justices of the peace,

Was taken up and laid over for a third reading.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 359, entitled

An act for the relief of the trustees of the Carthage Female Academy,

Have had the same under consideration and beg leave to report the same back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 359, entitled

An act for the relief of the trustees of the Carthage Female Academy,

Was taken up, read the third time, considered engrossed and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Asher, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Butler, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Knott, Lamson, Leach, Leeper, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—82.

NOES—Messrs. Applegate and Marshall—2.

Absent—Messrs. Auer, Breazeale, Bunch, Burton, Colcord, Hardin, Hickman, Kitchen, Koch, Latshaw, Logan, Maupin, Mortell, Mullings, Neal, Pope, Richardson, Sloan, Smith and Von Kochtitzky—19.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hooper, Kost, Langston, Marlin, Martin of Caldwell, Martin of St. Louis, Ming, Randall, Sanford, Scoville, Shafer, Squires, Walker and Williams of Morgan—30.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Mitchell, of the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

House bill No. 111,

Desire to report that they have had same under consideration, and report the following substitute for said bill, with the recommendation that it do pass;

Which was read.

House bill No. 111, entitled

An act to amend the charter of the city of Weston,

Was taken up, together with an amendment by way of substitute ;

Which was read and agreed to.

The bill, as amended, was read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Butler, Chilton, Dean, Doak, Dod, Dolle, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Gray, Hickman, Harmon, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson,

Leach, Leeper, Logan, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Roston, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—90.

NOES—None.

Absent—Messrs. Auer, Colcord, Hackman, Koch, Latshaw, Martin of St. Louis, Mortell, Mullings, Pope, Richardson, Scoville, Sloan, Smith, and Williams of Morgan—14.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Bradshaw, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hardin, Hooper, Kost, Langston, Marlin, Martin of Caldwell, Ming, Neal, Randall, Sanford, Shafer, Squires and Walker—30.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Murray, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your committee on Criminal Jurisprudence to whom was referred

House bill No. 19,

State that they have duly considered the same, and report it back with the recommendation that it do pass;

Which was read.

House bill No. 19, entitled

An act to amend an act entitled an act to establish a court of common pleas in the county of Linn, approved March 12, 1867,

Was taken up, and on motion,

Laid over for a third reading.

Mr. Abington, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your committee to whom

House bill No. 40, entitled

An act to amend section twenty-four and twenty-five, of chapter thirty-two of the General Statutes relating to fees,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass;

Which was read.

House bill No. 40, entitled

An act to amend sections twenty-four and twenty-five, of chapter thirty-two of the General Statutes relating to fees,

Was taken up, and on motion,

Laid over for a third reading.

Mr. Abington, from the Committee on Justices of the Peace, submitted the following report;

MR. SPEAKER: Your Committee on Justices of the Peace to whom was referred

House bill No. 39, entitled

An act to amend section twenty-five, of chapter one hundred and eighty-two, of the General Statutes, in relation to juries in justices courts,

Would beg leave to report that they have had the same under consideration, and recommend me to report the same back with the recommendation that it do pass ;

Which was read.

House bill No. 39,

Was taken up, and on motion,

Laid over for a third reading.

Mr. Gray, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bill would respectfully report that they have carefully examined and find correctly engrossed,

Substitute for House bills Nos. 62 and 113, entitled

An act to amend sections four, seven, eight and fourteen of an act to authorize cities, towns and villages to organize for school purposes with special privileges, to repeal certain acts therein mentioned and parts of acts inconsistent with this act, approved March 21, 1870;

Which was read.

Mr. Marshall, from the Committee on Swamp Lands, submitted the following report :

MR. SPEAKER : Your Committee on Swamp Lands to whom was referred

House bill No. 148, entitled

An act to provide for relinquishing to the United States lands erroneously patented to the State of Missouri,

Have instructed me to report that they have had the same under consideration, and recommend that it do pass with the attached amendments ;

Which was read.

House bill No. 146,

Was taken up, and on motion

Laid over for a third reading.

Mr. Frost, from the Committee on Mines and Mining submitted the following report :

MR. SPEAKER : The Committee on Mines and Mining have had under consideration,

House bill No. 358, being

An act to amend an act entitled an act to organize the Ironton Mining Company,

And a majority of said committee have instructed me to report the same to the House and recommend that it do pass ;

Which was read.

House bill No. 358,

Was taken up, and made special order for 2 o'clock, P. M.

On motion, leave of absence was granted to Messrs. Shafer, Logan and Mullings for one day.

Mr. Wielandy offered the following resolution :

Resolved, That hereafter no member of this House shall receive leave of absence unless in case of sickness, or for good cause shown at the time of asking for the same.

Pending which,
On motion of Mr. Buckham,
The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

A call of the House being demanded, the following members answered to their names:

Present—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bulter, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Hackman, Harmon, Howell, Hubbell, Hutt, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—73.

Absent—Messrs. Abbee, Asher, Auer, Beltrami, Butler, Colcord, Dod, Edens, George, Gray, Hardin, Kitchen, Knott, Koch, Latshaw, Martin of St. Louis, Maupin, McMillan, Mortell, Neal, Pope, Richardson, Rolston, Scoville, Sides, Sloan, Smith, Steele, and Worden—29.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mallings, O'Bannon of Pettis, Randall, Sanford, Shafer, Squires, Walker, and Williams of Morgan—32.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Girdner introduced a bill entitled

An act to establish a common pleas court and provide for the election and appointment of the officers thereof, and to define its jurisdiction, and to abolish a probate court, and to repeal all laws relative to the same, so far as they relate to Barton county;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Ohilton, Cloud, Coleman, Collier, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Hackman, Harmon, Howell, Hubbell, Hutt, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochitzky, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—73.

NOES—None.

Absent—Messrs. Asher, Auer, Bell, Beltrami, Butler, Colcord, Dod, Edens, George, Gray, Hardin, Kitchen, Knott, Koch, Latashaw, Martin of St. Louis, Maupin, McMillan, Mortell, Neal, O'Bannon of Pettis, Pope, Richardson, Rolston, Scoville, Sloan, Smith, Sorrell, Steele and Wielandy—30.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, Randall, Sanford, Shafer, Squires, Walker, Williams of Morgan and Worden—31.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

Title read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Stone, from the special committee of the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your special committee, consisting of the St. Louis Delegation, to whom was referred

House bill No. 216, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of the erection of a public building in the city of St. Louis, for the use of the custom house and other civil offices of the government of the United States, and ceding jurisdiction over the same,

Have had the same under consideration, and unanimously instructed me to report back the bill and recommend that it do pass;
Which was read.

House bill No. 216,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Hackman, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—76.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Dod, Edens, George, Knott, Koch, Latschaw, Martin of St. Louis, McMillan, Mortell, Pope, Sloan, Smith, and Steele—16.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Colcord, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Gray, Haas, Hammett, Hardin, Harmon, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Maupin, Ming, Mullings, Neal, O'Bannon of Pettis, Randall, Richardson, Rolston, Sanford, Scoville, Shafer, Squires, Walker, Williams of Morgan, and Worden—43.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Title read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

House bill No. 358,

Was taken up, and,

On motion of Mr. Stone, was made special order for March 4th, at 11 o'clock, A. M., and 150 copies ordered printed.

Mr. Stone, from the St. Louis Delegation submitted the following report:

MR. SPEAKER: Your special committee, composed of the St. Louis Delegation, to whom was referred

House bill No. 198,

An act to amend section twelve of an act entitled an act in regard to the establishment of roads in St. Louis county, approved February 15, 1864,

Have had the same under consideration, and have unanimously instructed me to recommend that the bill do pass ;

Which was read.

House bill No. 198, entitled

An act to amend section twelve of an act entitled an act in regard to the establishment of roads in St. Louis county, approved February 15, 1864,

Was taken up, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—79.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Latshaw, Martin of St. Louis, Maupin, Mortell, Neal, Pope, Richardson, Sloan, Smith, and Sorrell—19.

Absent with leave—Messrs. Alsup, Barnes, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Sanford, Scoville, Shafer, Steele, Squires, Walker, Williams of Morgan and Worden—37.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay that motion on the table ;

Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on the Judiciary to whom was referred

House bill No. 327,

In relation to the salary of the judge of the sixteenth judicial circuit,

Have had the same under consideration and have instructed me to report it back to the House with the recommendation that it do pass ;

Which was read.

House bill No. 327, entitled

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty-six of the General Statutes, entitled "of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit," approved March 22, 1870, the same being section forty-four of article four of chapter forty-one of Wagner's Statutes, and to repeal certain sections of said amendatory acts, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit,

Was taken up, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Turner, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—80.

NOES—None.

Absent—Messrs. Asher, Auer, Bell, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Latshaw, Martin of St. Louis, Mortell, Neal, O'Bannon of Pettis, Pope, Richardson, Rolston, Scoville Sloan, Smith and Steele—23.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, Randall, Sanford, Shafer. Squires, Walker, Williams of Morgan and Worden—31.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Title read and agreed to.

Mr. Thomas moved to reconsider the vote by which the bill was passed, and to lay that motion on the table;

Which was agreed to.

Mr. Stone, from the Special Committee of the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Special Committee, consisting of the St. Louis delegation, to whom was referred

House bill No. 91,

An act for the relief of Francis H. Dinkelman,

Have had the same under consideration, and have instructed me to recommend that it do pass;

Which was read.

House bill No. 91 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Howell, Harmon, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—79.

NOES—None.

Absent—None.

Absent with leave—Messrs. Alsup, Asher, Auer, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Butler, Claiborne, Colcord, Clark, Crockett, Davis, Dent, Eubanks, Edens, Fassen, George, Goodson, Haas, Hardin, Hickman, Hooper, Knott, Koch, Kost, Langston, Lathaw, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Ming, Mortell, Mullings, Neal, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Randall, Richardson, Rolston, Sanford, Seoville, Shafer, Sloan, Smith, Steele, Squires, Walker, Williams of Morgan and Worden—56.

Sick—Messrs. Gratiot and Hammett—2.

Title read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Murray, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred

House bill No. 60,

For the organization of the St. Louis Circuit Court and to regulate the proceedings therein,

Report said bill back to the House, with a recommendation that it be

Referred to the Special Committee of the St. Louis Delegation, it being purely a local bill, concerning St. Louis county only;

Which was read.

House bill No. 260, entitled

An act to amend an act approved March 10th, 1869, entitled an act to amend an act to provide for the reorganization of the St. Louis circuit court, and to regulate the proceedings therein, approved December 19, 1865;

Was taken up, and on motion,
Referred to St. Louis Delegation.

Mr. Bunch introduced a bill entitled

An act to regulate the fees of the probate judges of Taney county;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hickman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, and Mr. Speaker—79.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott Koch, Latshaw, Martin of St. Louis, Maupin, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Steel and Smith—20.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Clark, Claiborne, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—35.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Title read and agreed to.

Mr. Bunch moved to reconsider the vote by which the bill passed, and to lay that matter on the table,
Which was agreed to.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred
House bill No. 344,

An act to amend an act entitled an act to authorize the county court of Buchanan county to subscribe stock for railroads, and for other purposes, approved February 11, 1861, so as to require the assent of two-thirds of the qualified voters of said county to sanction such subscription,

Have had the same under consideration and unanimously instructed to report the same back to the House and recommend that it do pass;

Which was read.

House bill No. 344, entitled

An act to amend an act entitled an act to authorize the county court of Buchanan county to subscribe stock for railroads, and for other purposes, approved February 11, 1861, so as to require the assent of two-thirds of the qualified voters of said county to sanction such subscription,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—80.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Colcord, Dent, Edens, George, Koch, Latshaw, Martin of St. Louis, Ming, Mortell, Mullings, Pope, Sloan, Smith, Steele and Worden—18.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Eubanks, Fassen, Goodson, Haas, Hammett, Hardin, Hickman, Hooper, Knott, Kost, Langston, Logan, Marlin, Martin of Caldwell, Neal, O'Bannon of Pettis, Randall, Richardson, Rolston, Samuel, Sanford, Scoville, Shafer, Squires, Walker and Williams of Morgan—37.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Title read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed and to lay that motion on the table;

Which was agreed to.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred the petition of citizens of St. Louis in regard to the North Missouri railroad,

Have had the same under consideration and instructed me to return the same to the House and recommend that the petition be referred to the committee composed of the St. Louis delegation;

Which was read and so ordered.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 57,

An act to authorize the Southwest Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company,

Have had the same under consideration, and unanimously instructed me to report the bill back to the House with a recommendation that it do pass with the following amendment;

Which was read.

The bill, as amended, was laid over for a third reading.

Mr Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 181,

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857,

Have had the same under consideration, and instructed me to report the bill back to the House with the unanimous recommendation that it do pass with the following amendments;

Which was read.

House bill No. 181

Was taken up and laid over for a third reading.

Mr. Stone from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 51,

An act to amend chapter sixty-six (66) of the General Statutes of eighteen hundred and sixty-five (1865) entitled "of the appropriation and valuation of lands taken for telegraph, macadamized, graded, plank or railroad purposes," so as to provide for perfecting the title attempted to be acquired under this chapter,

Have had the same under consideration and instructed me unanimately to recommend that the bill do pass;

Which was read.

House bill No. 51

Was taken up and laid over for a third reading.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred the petition of William Derby, Benjamin Guly and others in regard to railroad taxation under the present provisions of the county court,

Have had the same under consideration and unanimously instructed me to return the petition to the House and recommend that the petition be referred to the Committee on the Judiciary;

Which was read and so ordered.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

Mr. SPEAKER: Your Committee on Internal Improvements to whom was referred

House bill No. 168,

An act to provide for the better security of county subscriptions to the stock of railroad companies,

Have had the same under consideration and instructed me unan-
imously to recommend that it do pass with the following amendment;
Which was read.

House bill No. 168

Was taken up, and laid over for a third reading.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

Mr. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 201,

An act concerning the appointment of Notaries Public for the State at large,

Have had said bill under consideration, and unanimously instructed me to return the bill and recommend that it do not pass;

Which was read.

House bill No. 210,

Was taken up and laid over for a third reading.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives:

Your committee to whom was referred

House bill No. 195, entitled

An act to establish the twenty-fifth judicial circuit,

Beg leave to report that they have had the same under careful consideration, and have instructed me to report it back to the House with the recommendation that it pass with the following amended title:

An act to establish the twenty-fifth judicial circuit, and to provide for the election of a judge and circuit attorney therefor;

House bill No. 195, entitled

An act to establish the twenty-fifth judicial circuit, to provide for the election of a judge and circuit attorney and for other purposes;

Was taken up, read the third time, and failed to pass, not receiving a constitutional majority, by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Chilton, Cloud, Coleman, Collier, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Howell, Hubbell, Hutt, Leeper, Mabrey, McMillan, Mitchell, Moore of Livingston, Murphy, Murray, Myers, Pauley, Ray, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—56.

NOES—Messrs. Abbee, Adams of Gentry, Buckham, Bulkley, Bunch, Dean, Dod, Harmon, Kitchen, Lamson, Leach, Marshall, Maupin, McAllister, McPike, Miller, Moore of Stone, Newman, Norris, Raney, Robinson, Stancil, Turner and Wilkes—14.

Absent—Messrs. Abington, Asher, Auer, Colcord, Edens and Latshaw—6.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Butler, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, George, Goodson, Haas, Hardin, Hickman, Hooper, Knott, Koch, Kost, Langston, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Ming, Mortell, Mullings, Neal, O'Bannon of Pettis, Pope, Randall, Richardson, Rolston, Sanford, Scoville, Shafer, Sloan, Smith, Steele, Squires, Walker, Williams of Morgan and Worden—48.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

On motion of Mr. Thomas,

The vote by which the bill passed was reconsidered.

Mr. Maupin moved to reconsider the vote by which the bill went to its third reading;

Which was agreed to.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Hon. Speaker and House of Representatives:

Your committee to whom was referred

House bill No. 1, entitled

An act abolishing the common pleas court of Lafayette county;

Have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass;

Which was read.

The following bill as reported by the committee, entitled

An act repealing an act entitled an act to establish a court of common pleas in the counties of Lafayette, Ray, Davis and Pettis, with probate jurisdiction;

Was taken up, and laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 67,

Repealing an act defining the powers of county courts of Jasper and Barton counties, so far as said act relates to Jasper county,

Have had the same under consideration and have instructed me to report it back to the House, with the recommendation that it do pass;

Which was read.

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county,

Was taken up.

Mr. Dod offered the following amendment:

Amend by striking out "county of Barton" wherever it occurs, and inserting "counties of Jasper and Barton;"

Was read and not agreed to.

The bill was read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bitteringer, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Samuel, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—79.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Davis, Dod, Edens, George, Latshaw, Martin of St. Louis, Ming, Mortell, Mullings, Pope, Sanford, Sloan, Smith, Steele, and Worden—18.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Colcord, Crockett, Dent, Eubanks, Fassen, Goodson, Haas, Hammett, Hardin, Hickman, Hooper, Knott, Koch, Kost, Langston, Logan, Martin of Caldwell, Maupin, Neal, O'Bannon of Pettis, Randall, Richardson, Rolston, Scoville, Shafer, Squires, Walker and Williams of Morgan—38.

Sick—Messrs. Gratiot and O'Bannon of Dallas—2.

Mr. Cloud moved to reconsider the vote by which bill passed.
Mr. Cloud moved to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Thomas, of the Committee on Judiciary, submitted the following report :

To the Honorable Speaker of the House of Representatives :

Your committee to whom was referred

House bill No. 112, entitled

An act to amend an act entitled an act to establish courts of probate in the county of DeKalb and other counties,

Beg leave to report that they have had the same under consideration, and have instructed me to report it back to the House with recommendation that it pass;

Which was read.

House bills No. 112, entitled

An act to amend an act entitled an act to establish a court of probate in the county of DeKalb and other counties,

Was taken up.

Mr. Abbee offered the following amendment:

Amend by adding to the first section the following:

And in the county of Polk he may receive such additional compensation not exceeding the sum of two hundred dollars per annum as the county court of said county shall allow;

Which was read.

Mr. Frost offered the following amendment:

Amend section one as follows by adding ;

Provided, that the above provisions shall not apply to Livingston or Phelps counties ;

Which was read.

On motion, the bills and amendments were referred to the members of the respective counties as may be affected.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred House bill 308,

In relation to the Platte county court of common pleas,

Have had the same under consideration, and have instructed me to report the same back with the accompanying amendment, with the recommendation that the same as thus amended do pass ;

Which was read.

House bill No. 308,

Was taken up, and the amendment recommended by the committee:

Amend by inserting after the word "township," in line twenty-two, page two, the following :

And concurrent appellate jurisdiction with the circuit court from the judgments of the justice of the peace in all cases arising in said township ;

Was agreed to.

The bill as amended was read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Baillard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Walker, Williams of Audrain and Mr. Speaker—79.

NOES—None.

Absent—Mr. Latshaw—1.

Absent with leave—Messrs. Asher, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Butler, Claiborne, Clark, Colcord, Crockett, Davis, Dent, Edens, Eubanks, Fassen, George, Goodson, Haas, Hardin, Hickman, Hooper, Knott, Koch, Kost, Langston, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Ming, Mortell, Mullings, Neal, O'Bannon of Pettis, Pope, Randall, Richardson, Rolston, Samuel, Sanford, Scoville, Shafer, Sloan, Smith, Steele, Squires, Walker, Williams of Morgan and Worden—54.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Thomas moved that the vote by which the bill passed be reconsidered ;

Mr. Thomas moved to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary to whom was referred

House bill No. 15,

To establish a probate court in St. Francois county,

Have instructed me to report back in lieu thereof the within substitute, with recommendations that it do pass ;

Which was read.

House bill No. 15,

Was taken up, together with the amendment by way of substitute as recommended by the committee:

Was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Burton, Chilton, Cloud, Coleman, Collier, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—74.

NOES—None.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Sanford, Shafer, Squires, Walker, and Williams of Morgan—32.

Absent—Messrs. Asher, Auer, Bunch, Butler, Colcord, Dean, Edens, George, Gray, Hardin, Knott, Koch, Latshaw, Martin of St. Louis, Maupin, Mortell, Myers, Neal, Pope, Richardson, Rolston, Samuel, Scoville, Sloan, Smith, Steele, Turner and Worden—28.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Thomas moved to reconsider the vote by which the bill passed ;

Mr. Thomas moved to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 60,

Amending Louisiana court of common pleas,

Have had the same under consideration, and instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 60,

Was taken up, and, on motion,

Laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred

House bill No. 238,

Relating to the powers of county courts,

Have instructed me to report the same back with the accompanying substitute, with the recommendation that the substitute do pass;

Which was read.

House bill No. 238,

Was taken up, together with the amendment by way of substitute, as recommended by the committee;

The bill, as amended, was read and laid on the table, and 150 copies ordered printed.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred

A petition of citizens of Lafayette county asking for the abolishment of the court of common pleas in that county,

Have had the same under consideration, and have instructed me to report the accompanying bill, abolishing said court, with the recommendation that it do pass;

Which was read.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 61, entitled

An act repealing an act entitled an act to establish a court of common pleas in the counties of Ray, Daviess and Pettis, with probate jurisdiction in the last three counties, and repealing all laws in conflict with the same, approved March 13, 1867, so far as relates to the county of Pettis,

Report that they have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass.

House bill No. 61,

Was taken up, and laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred

House bill No. 357,

Amending chapter fifty-five of the General Statutes of Missouri, approved February 27, 1868,

Have had the same under consideration, and have instructed me to report it back to the House with recommendation that it do pass.

House bill No. 357,

Was taken up, and, on motion, laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. 170, entitled

An act to establish a probate court in the county of Pettis,

Report that they have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass.

House bill No. 170,

Was taken up, and, on motion, laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

The Honorable Speaker and House of Representatives:

Your committee to whom was referred

House bill No. 247, entitled

An act to amend section six of chapter ninety-three of General Statutes, and section six of chapter ninety-five of Wagner's Statutes relating to merchant's licenses,

Have considered the same, and instruct me to report it back with the recommendation that it be referred to House Committee on Revenue;

Which was read.

House bill No. 247,

Was taken up, and, on motion, laid over informally.

Mr. Adams of Gentry introduced a bill entitled

An act to amend sections one and two of an act changing the time of holding the circuit courts of the counties of DeKalb and others, in the twelfth judicial circuit;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Bulkley, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, and Mr. Speaker—77.

NOES—Messrs. Buckham and Buller—2.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, Frost, George, Hardin, Knott, Koch, Latshaw, Marshall, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Samuel, Sloan, Smith and Steele—21.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Langston, Logan, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report with accompanying documents:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House concurrent resolution No. 15,

To provide for the sale of arms,

Have had the same under consideration, and beg leave to report the accompanying substitute with the recommendation that it do pass;

Which was read.

House concurrent resolution No. 15, entitled

Concurrent resolution to provide for the sale of arms,

Was taken up, together with an amendment by way of substitute;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Mabrey, McAllister, McMillan, McPike, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—77.

NOES—Mr. Miller—1.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Martin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Absent—Messrs. Asher, Auer, Bennett, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Maupin, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Smith and Stancil—22.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Stone moved that the vote by which the bill passed be reconsidered, and to lay his motion to reconsider on the table;

Which was agreed to.

Title read and agreed to.

Mr. Adams of Gentry introduced a bill entitled

An act changing the time of holding the circuit court of the county of Buchanan in twelfth judicial circuit;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Beltrami, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bulter, Bunch, Burton, Chilton, Cloud, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Newman, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—74.

NOES—None.

Absent—Messrs. Asher, Auer, Barnes, Bennett, Butler, Colcord, Coleman, Edens, Frost, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Myers, Neal, Norris, Pope, Richardson, Sanford, Sloan, Smith and Steele—26.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Adams of Gentry moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 169, entitled
 An act to establish the Monroe City court of common pleas,
 Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 169, entitled
 An act to establish the Monroe City court of common pleas,
 Was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Collier, Dean, Doak, Dod, Dolle, Dolman, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Raney, Ray, Robinson, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Van Roden, Von Kochitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—73.

NOES—Messrs. Adams of Butler, Coleman and Leeper—3.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, Edwards, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pauley, Pope, Richardson, Sanford, Schooley, Sloan, Smith, Steele and Turner—24.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 330, entitled

An act to repeal an act entitled an act supplemental to and amendatory of an act in relation to the recorder's office in the county of Cedar, approved March 20, 1861,

Have had the same under consideration and beg leave to report the same back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 330,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes and Mr. Speaker—77.

NOES—None.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, Koch, Latashaw, Logan, Marlin, Martin of St. Louis, Ming, Mortell, Mullings, Myers, Sloan, Smith, Steele and Worden—18.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, George, Goodson, Haas, Hammett, Hardin, Hickman, Hooper, Knott, Kost, Langston, Martin of Caldwell, Neal, O'Bannon of Pettis, Pope, Randall, Richardson, Rolston, Samuel, Sanford, Scoville, Shafer, Squires, Walker, Williams of Audrain and Williams of Morgan—40.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

House bill No. 233, entitled

An act to authorize the trustees of the Presbyterian church at Lee's Summit, in Jackson county, to sell and convey certain real estate,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—77.

NOES—Messrs. Abbee and Buller—2.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Sloan, Smith and Steele—19.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, Myers, O'Bannon of Pettis, Randall, Rolston, Samuel, Sanford, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—36.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Mr. Gates moved to reconsider the vote by which the bill passed, and to lay that motion on the table,
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bill's, to whom was referred

House bill No. 323, entitled

An act to amend an act entitled an act to provide for the appointment of a collector of revenue in Greene county,

Have had the same under consideration, and beg leave to report it back to the House, with the recommendation that the bill do pass;
Which was read.

House bill No. 323,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Lamson, Leach, Marshall, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newnan, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—74.

NOES—Messrs. Hutt, Kitchen and Leeper—3.

Absent—Messrs. Asher, Auer, Butler, Colcord, Coleman, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Maupin, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Smith, Stancil and Steele—23.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks,

Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr. Wielandy, of the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred

House bills No. 141, entitled

An act to amend sections 3 and 6, of chapter 59 of the General Statutes of Missouri, being sections 3 and 6, of chapter 4, page 126, of Wagner's Statutes,

Beg leave to report that they have had the said bill under consideration, and that they recommend that it do pass.

Which was read.

House bill No. 141,

Was taken up and laid over under the rules.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 288, entitled

An act to amend the town charter of the town of Canton, and consolidating the several acts relating thereto,

Have had the same under consideration, and beg leave to report it back to the House, with the recommendation that the bill do pass;

Which was read.

House bill No. 288

Was taken up, and laid over, under the rules.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

Senate bill No. 9, entitled

An act amendatory of and supplementary to the charter of the city of St. Joseph,

Beg leave to report that they have had the same under consideration, and herewith return it to the House with the recommendation that the bill do pass;

Senate bill No. 9,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buckley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Hutt, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley,

Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—80.

NOES—None.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Latshaw, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan, and Worden—24.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Martin of St. Louis, Mortell, Murray, Neal, Pope, Richardson, Sanford, Sloan, Smith and Steele—20.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 325, entitled

An act to change the time of holding the probate court of Putnam county,

Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass:

Which was read.

House bill No. 325,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Burrows, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Gardner, Gray, Hackman, Harmon, Howell, Hubbell, Kitchen, Lamson, Leach, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Myers, Newman, Norris, Pauley, Ray, Schooley, Sharp, Shewalter, Shields, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—74.

NOES—Messrs. Hutt, Leeper, Raney, Robinson, Sides and Wilkes—6.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Bunch, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—33.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Murray, Neal, Pope, Richardson, Sanford, Sloan, Smith, and Steele—21.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

Senate bill No. 46, entitled

An act to amend an act amendatory of an act to incorporate the city of Brunswick, approved March 7, 1870,

Beg leave to report that they have had the same under consideration and return it to the House with the recommendation that the bill do pass;

Which was read.

Senate bill No. 46,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Ballard, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Cloud, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Kitchen, Lamson, Leach, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Schooley, Sharp, Shewalter, Shields, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—70.

NOES—Messrs. Adams of Butler, Barnes, Chilton, Hutt, Leeper, Raney, Ray, Robinson and Sides—10.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Smith and Steele—20.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Orockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

House bill No. 277, entitled

An act to amend an act, approved March 19, 1870, entitled an act to amend an act to incorporate the city of Lexington, approved March 8, 1845, and the acts amendatory thereto,

Beg leave to report that they have had the same under consideration, and return it to the House with the recommendation that the bills do pass;

Which was read.

House bill No. 277,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Ballard, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Hackman, Harmon, Howell, Hubbell, Kitchen, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murray, Murphy, Myers, Newman, Norris, Pauley, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon and Mr. Speaker—72.

NOES—Messrs. Adams of Butler, Barnes, Gray, Hutt, Raney, Sides and Wilkes—7.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Smith, Steele and Williams of Audrain—21.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills to whom was referred

House bill No. 153, entitled

An act to amend the charter of the city of Liberty,

Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 153,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Kitchen, Lamson, Leach, Leeper,

er, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sorrell, Stancil, Stone, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon and Mr. Speaker—73.

NOES—Messrs. Dean, Hutt, Raney, Sides and Wilkes—5.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Sanford, Sloan, Smith, Steele, Thomas and Williams of Andrain—22.

Absent with leave—Messrs. Alsop, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Scoville, Shafer, Squires, Walker, Williams of Morgan and Worden—34.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr. Brown of Monroe, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

House bill No. —,

Concerning the erection of a county jail in Montgomery county,

Have had the same under consideration and have instructed me to report it back to the House with the recommendation that it do pass;

Which was read.

House bill No. —, entitled

An act to authorize the county court of Montgomery county to erect a county jail at the present county seat of said county,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Beltrami, Bennett, Bittinger, Bohn, Borg, Bradshaw, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Dean, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Gray, Hackman, Harmon, Howell, Hubbell, Lamson, Leach, Leeper, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, Pauley, Raney, Ray, Robinson, Schooley, Sharp, Shewalter, Shields, Sides, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Von Kochtitzky Wielandy, White of Texas, Wight of Vernon, Wilkes and Mr. Speaker—77.

NOES—Mr. Hutt.

Absent—Messrs. Asher, Auer, Butler, Colcord, Edens, George, Hardin, Kitchen, Knott, Koch, Langston, Latshaw, Martin of St. Louis, Mortell, Neal, Pope, Richardson, Sloan, Smith and Steele—20.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Bosbyshell, Breazeale, Burrows, Claiborne, Clark, Crockett, Davis, Dent, Eubanks, Fassen, Goodson, Haas, Hickman, Hooper, Kost, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Samuel, Sanford, Scoville, Shafer, Squires, Walker, Williams of Audrain, Williams of Morgan and Worden—36.

Sick—Messrs. Gratiot, Hammett, and O'Bannon of Dallas—3.

On motion,
Leave of absence was granted to Mr. Wight of Vernon for four days.

On motion of Mr. Kitchen,
The House adjourned until 10 o'clock Monday morning.

MONDAY, FEBRUARY 27, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of Saturday was being read, when,
On motion of Mr. Hackman,
The further reading of the journal was dispensed with.

Mr. Leeper offered the following resolution:

WHEREAS, Many persons in this State believe that the present constitution of Missouri was not legally adopted by the qualified voters of this State, present and voting for or against the same, at an election called for that purpose, and,

WHEREAS, all efforts heretofore made to examine and investigate the alleged frauds and irregularities failed of their purpose, therefore, be it

Resolved, That a committee be appointed by the Speaker of this House, to consist of five members, whose duty it shall be to investigate all matters connected with the vote and returns in the election called to vote for or against the adoption of the present constitution, and for this purpose they may send for persons and papers, and exam-

ine persons under oath, and do anything necessary to a complete investigation of the same.

Which was read.

Mr. Shafer moved to lay the resolution on the table.

The ayes and noes having been demanded, the motion was not agreed to by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Bittinger, Bohn, Bradshaw, Buckham, Bulkley, Clark, Cloud, Colcord, Dod, Dolle, Edwards, Frost, Gates, George, Hackman, Harmon, Hickman, Kitchen, Koch, Lamson, Leach, Marshall, McMillan, Miller, Moore of Livingston, Moore of Stone, Myers, Newman, Norris, Pope, Robinson, Schooley, Shafer, Sharp, Smith, Van Roden, White of Texas and Wilkes—11.

NOES—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Beltrami, Bennett, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Bunch, Burton, Butler, Chilton, Claiborne, Coleman, Dean, Doak, Edens, Girdner, Goodson, Gray, Howell, Hubbell, Hutt, Knott, Latshaw, Leeper, Martin of St. Louis, Maupin, Mabrey, Murphy, Murray, Samuel, Sanford, Shewalter, Sides, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, Williams of Andrain and Mr. Speaker—49.

Absent—Messrs. Asher, Auer, Collier, Dolman, Hardin, Kost, McAllister, Mitchell, Mortell, Neal, Pauley, Raney, Ray and Wight of Vernon—14.

Absent with leave—Messrs. Alsup, Barrett, Bass, Bell, Breazeale, Burrows, Crockett, Davis, Dent, Eubanks, Fassen, Haas, Hooper, Langston, Logan, Marlin, Martin of Caldwell, Ming, Mullings, O'Bannon of Pettis, Randall, Rolston, Scoville, Shields, Steele, Walker, Williams of Morgan, Worden and McPike—29.

Sick—Messrs. Gratiot, Hammett, O'Bannan of Dallas and Richardson—4.

Mr. Thomas offered the following amendment:

Amend by adding the following:

"Said committee shall also have authority to inquire into what influences, if any, were brought to bear by men in official positions, upon the late Secretary of State, to induce him not to cast up the votes of certain counties in this State and to grant certificates of election to parties not elected."

Which was read, and on motion of Mr. Bennett,

The whole matter was referred to Committee on Judiciary.

Mr. Colcord presented a petition of the citizens, householders, township clerks, and school directors of St. Louis county, asking that a special law or an amendment to the now existing law be enacted for St. Louis county, fixing the salary of the county superintendent.

Which was read, and on motion,

Referred to the St. Louis Delegation.

Mr. Maupin offered the following resolution:

WHEREAS, The Committee on Penitentiary, Roads, Highways and

Federal Relations, have jointly had the services of a clerk employed by them, January 21, 1871; therefore,

Resolved, That the employment of said clerk is hereby authorized, and the Committee on Accounts directed to audit the account of said clerk from the above date of his employment by said committee.

Which was read and adopted.

Mr. Stone introduced a bill entitled

An act relating to interest on money;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary.

Mr. Thomas introduced a bill entitled

An act to authorize the circuit courts of this State to declare minors of age;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

Mr. Lawson presented petitions for, and remonstrances against establishing a court of common pleas in the county of McDonald;

Which was read, and, on motion,

Referred to the Committee on Judiciary.

Mr. Stone introduced a bill entitled

An act to amend section sixteen of chapter sixty-four of the General Statutes, entitled of macadamized, graded and plank road companies, being article three of chapter thirty-seven of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Bosbyshell introduced a bill entitled

An act to give to banks and banking corporations a lien on stock for its indebtedness of stockholders;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Mr. Hubbell introduced a bill entitled

An act to amend section fifty-seven of an act entitled an act to provide for the reorganization and support of the public schools, and to revive and amend laws relating thereto, and repeal certain acts and parts of acts, approved March 19, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Retrenchment and Reform.

Mr. Cloud introduced a bill entitled

An act to amend section three of chapter one hundred and seventy-two of the General Statutes, the same being section three of article twelve of Wagner's Statutes, respecting new trials;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Newman introduced a bill entitled

An act to amend an act entitled an act to enable counties, cities and incorporated towns to fund their respective debts, approved March 24, 1868;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations

Mr. McMillan introduced a bill entitled

An act to amend section four of article nine entitled "of miscellaneous provisions" of an act entitled an act to amend an act entitled an act to incorporate the town of Holden, in Johnson county, approved January 28, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Mr. Bitteringer introduced a bill entitled

An act to amend an act entitled an act to incorporate the Mount Mora Cemetery Association of St. Joseph, approved February 22, 1851;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

An act to restrain hogs and sheep from running at large;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

Mr. Harmon introduced a bill entitled

An act amendatory to chapter eighty of the General Statutes of Missouri, the same being chapter seventy-one of Wagner's Statutes entitled "of inclosing fields," etc.

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Agriculture.

Mr. White, of Texas, introduced a bill entitled

An act to repeal an act entitled an act defining the boundaries of Douglas and Texas counties, approved February 8, 1870, and to reenact sections sixty-four and one hundred and ten of chapter thirty-four of the General Statutes of Missouri of 1865, entitled "of counties and county boundaries;"

Was taken up, read the first time, the rules suspended, read the second time and, on motion,

Referred to Committee on County Boundaries.

Mr. Shields presented a petition in regard to stock law;

Which was read, and, on motion,

Referred to Committee on Agriculture.

Mr. Shields presented a memorial in regard to

House bill No. 157, favoring its passage;

Which was read, and, on motion,

Referred to the Committee on Insurance.

Mr. Thomas introduced a bill entitled

An act to amend section two and fourteen of chapter one hundred and nine of the General Statutes of Missouri, the same being sections two and fourteen of chapter thirty-five of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Leach introduced a bill entitled

An act to repeal and amend an act of the General Statutes in regard to divorce;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Wielandy introduced the following resolution:

Resolved, That section two (2) of article one (1) of the rules and orders of this House, be and the same is hereby amended so as to read as follows: No member shall absent himself from the service of the House, unless he be sick, or for good and sufficient reasons shown at the time he asks for leave of absence;

Which was read, and, on motion of

Mr. Moore of Stone, was laid on the table.

Mr. Dolman introduced a bill entitled

An act to quiet the title to the northwest quarter of section seven (7), township fifty-four (54), range twenty (20), in Chariton county, Missouri, as far as any interest the State of Missouri may have in the same is concerned;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Knott called up special order, being substitute for House bill No. 80,

Which was taken up.

Mr. George offered the following amendment:

Amend section twenty-one by adding the following:

Provided, that whenever any parent or guardian of any child or children under sixteen years of age from the rural districts shall come and claim such child or children from said institution, they shall be given up to said parent or guardian;

Which was read.

Mr. Adams of Butler moved to refer the bill and substitute to Committee on Ways and Means.

Pending which,

On motion of Mr. Moore of Livingston,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of substitute of House bill No. 80,

The question being the motion of Mr. Adams of Butler to refer the same to Committee on Ways and Means.

The following communication of his Excellency Governor B. Gratz Brown was received by his secretary, Mr. Judson :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, February 27, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bill from the House :

An act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Colcord moved to refer the whole matter to Committee on Judiciary;

Which was not agreed to.

The vote was then taken upon the motion of Mr. Adams of Butler to refer to Committee on Ways and Means.

The ayes and noes being demanded by Mr. Claiborne, the motion was carried by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Applegate, Ballard, Beltrami, Bennett, Bradshaw, Buller, Bunch, Burrows, Burton, Butler, Chilton, Clark, Coleman, Dean, Doak, Edens, Gates, Girdner, Goodson, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Latshaw, Leeper, Marshall, Martin of Caldwell, Mabrey, Miller, Moore of Stone, Murphy, Murray, Norris, O'Bannon of Pettis, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Sides, Smith, Sorrell, Stancil, Turner, Wielandy, White of Texas, Wilkes and Mr. Speaker—55.

NOES—Messrs. Adams of Gentry, Asher, Barnes, Bell, Bittinger, Bohn, Bosbyshell, Brown of Howard, Buckham, Bulkley, Claiborne, Cloud, Colcord, Dod, Dolle, Dolman, Edwards, Frost, George, Gray, Hooper, Koch, Logan, Martin of St. Louis, Maupin, McAllister, McMillan, Mitchell, Moore of Livingston, Myers, Newman, Pauley, Pope, Robinson, Rolston, Shafer, Shields, Sloan, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, Williams of Audrain and Williams of Morgan—46.

Absent with leave—Messrs. Abington, Alsop, Barrett, Bass, Brea-

zeale, Dent, Collier, Eubanks, Fassen, Haas, Langston, Marlin, Ming, McPike, Mullings, Randall, Walker and Worden—19.

Absent—Messrs. Auer, Borg, Brown of Monroe, Davis, Kost, Leach, Mortell, Neal, Raney, Ray, Richardson, Squires and Wight of Vernon—14.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Pope offered the following resolution :

Resolved, That the Committee on Ways and Means are hereby instructed to report upon substitute for House bill No. 80 on Wednesday next at eleven o'clock, A. M.;

Which was read.

Mr. Chilton moved to lay the resolution on the table.

Mr. Claiborne demanded the ayes and noes.

The motion was lost by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Asher, Ballard, Beltrami, Bennett, Bradshaw, Burton, Butler, Chilton, Coleman, Collier, Dean, Doak, Edens, Gates, George, Girdner, Goodson, Hackman, Hardin, Harmon, Hickman, Howell, Hutt, Kitchen, Latshaw, Leach, Leeper, Mabrey, McAllister, Miller, Moore of Stone, Murphy, Murray, Newman, Norris, Sanford, Schooley, Sharp, Sides, Smith, Stancil, Stone, Turner, Wilkes and Williams of Audrain—46.

NOES—Messrs. Abbee, Adams of Gentry, Barnes, Bell, Bitteringer, Bohn, Bosbyshell, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Claiborne, Cloud, Colcord, Dolle, Dolman, Frost, Gray, Hooper, Hubbell, Knott, Koch, Lamson, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McMillan, Mitchell, Moore of Livingston, Myers, O'Bannon of Pettis, Pauley, Pope, Robinson, Rolston, Samuel, Scoville, Shafer, Shewalter, Sorrell, Steele, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Williams of Morgan and Mr. Speaker—54.

Absent—Messrs. Abington, Alsup, Auer, Borg, Brown of Monroe, Bunch, Edwards, Langston, Mortell, Neal, Raney and Richardson—13.

Absent with leave—Messrs. Barrett, Bass, Clark, Crockett, Davis, Dent, Dod, Eubanks, Fassen, Haas, Hammett, Kost, Marlin, McPike, Ming, Mullings, Randall, Ray, Shields, Walker, Wight of Vernon and Worden—22.

Sick—Messrs. Gratiot and O'Bannan of Dallas—2.

Mr. Abbee offered the following amendment:

Amend by striking out "Wednesday" and inserting "Friday" next;

Which was read and agreed to.

The resolution, as amended, was then adopted.

On motion of Mr. Chilton,

The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY, 28, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Burrows,
The further reading of the journal was dispensed with

Mr. Turner offered the following resolution :

Resolved, That we, as Representatives of the people of the State of Missouri, do declare the act lately passed by Congress, known as the "Supplemental Enforcement Bill," to be unconstitutional, null and void, that it is subversive of Republican institutions in this country, and a direct thrust at the rights and liberties of the people that ought not to be tolerated ;

Which was read.

Mr. Asher moved to lay the resolution on the table ;

The ayes and noes being demanded by Mr. Turner, the motion was not agreed to by the following vote :

AYES—Messrs. Abbee, Asher, Buckham, Bulkley, Bullor, Burrows, Clark, Cloud, Crockett, Dolle, Dolman, Fassen, Girdner, Harmon, Hickman, Hooper, Kitchen, Lamson, Leach, Martin of Caldwell, McAllister, Miller, Moore of Livingston, Moore of Stone, Norris, Raney, Robinson, Rolston, Scoville, Shafer, Sharp, Shields, Steele, Van Roden, Wilkes, Williams of Morgan—36.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Burton, Butler, Chilton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Frost, George, Goodson, Haas, Hardin, Howell, Hubbell, Hutt, Knott, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, Mitchell, Mortell, Murphy, Myers, Newman, O'Bannon of Pettis, Pauley, Ray, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Smith, Stancil, Stone, Squires, Thomas, Turner, Von Kochitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—69.

Absent—Messrs. Alsup, Bell, Bittinger, Bunch, Colcord, Dod, Edens, Edwards, Gates, Gray, Kost, McMillan, Murray, Pope and Sorrell—15.

Absent with leave—Messrs. Barrett, Bass, Breazeale, Dent, Eubanks, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall and Richardson—13.

Sick—Messrs. Gratiot, Hammett, Hackman and O'Bannan of Dallas—4.

Mr. Abbee offered the following amendment :

Amend by inserting after the word "Missouri," the following: "assuming to act in the place and usurping the powers of the judiciary ;

Which was read.

On motion of Mr. Claiborne,

The resolution and amendment were referred to Committee on Federal Relations.

On motion, leave of absence was granted to Mr. Neal for three days.

Mr. Brown of Howard offered the following resolution :

Resolved, That this House hold night sessions after to-night, for the consideration of Senate bills, and House bill No. 97 ;

Which was read and adopted.

Mr. Wielandy offered a concurrent resolution, entitled
Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the Constitution thereof abolishing the grand jury system ;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Constitutional Amendments.

Mr. Mortell introduced a bill entitled

An act to authorize the judges of certain courts to appoint short hand reporters, and for the preservation of evidence in certain cases ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Marshall introduced a bill entitled

An act to fix the annual rates of taxation for State revenue, and for the payment of all State indebtedness for the years 1871 and 1872, and to repeal certain acts relating thereto ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Ways and Means.

Mr. Latshaw introduced a bill entitled

An act supplemental to an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871 ;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George,

Girdner, Goodson, Gray, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Lamson, Latshaw, Leach, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—109.

NOES—Mr. Haas—1.

Absent—Messrs. Alsup, Beltrami, Brown of Monroe, Bulkley, Edens, Kost, Marshall and Pope—8.

Absent with leave—Messrs. Barrett, Bass, Breazeale, Clark, Dent, Eubanks, Hackman, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall and Richardson—15.

Sick—Messrs. Gratiot, Hammett, O'Bannon of Dallas and Worden—4.

Mr. Goodson, from the Committee on the Missouri Institution for the Education of the Blind, submitted the following report:

To the Honorable Speaker of the House of Representatives:

Your Committee on the Missouri Institution for the Education of the Blind have, in obedience to the duties devolving upon them, visited and carefully examined the different departments, as literary, musical and mechanical, and more particularly the building and its appurtenances, and would respectfully submit the following report:

We found the school at work, teachers and pupils busily employed in their several departments. The pupils were remarkably attentive to their lessons and evinced a more eager desire for knowledge than we had expected to witness. The teachers must be faithful to their duty, else such results could not be obtained, for the principal part of the instruction must be oral, and directed to each pupil individually.

We carefully examined the finances, and found them to be managed with the strictest economy, the expenditures being much less than in similar institutions in other States, as we learned from examining their reports. We next critically examined the building and its appurtenances. We were surprised to find a State institution of such practical value as this one, so parsimoniously provided for. The present buildings were put up in 1855, and six rooms, barely sufficient to accommodate the pupils at that time, and while our State has been increasing in wealth and population, this institution has remained unrecognized, as it were. Every available spot throughout the entire building is crowded, a single room serving for public office, reception room, parlor, study and committee room. The matron has but one room, 16 by 17, where she must attend to the ceaseless calls of the entire household, and having cared for the last one, may then retire, after having cleared away the clothes, &c., of the pupils. The five teachers occupy a single room, and here the girls assemble for study.

The dormitories are more than crowded, nine beds, with from twelve to eighteen occupants, in a rooms 16 by 26, cannot but be productive of disease and ruin. We found but two stairways in the present building, a very narrow one on the west side for the use of the girls, the other in the center, and in case of fire, the occupants of the east part would be entirely cut off from any means of escape, except by way of the windows. The plans presented by the trustees provide for three ample stairways; also for cutting off the various parts of the building, in case of fire, by fire-proof doors.

The institution is also sadly deficient in furniture; not a single room is furnished in a respectable manner. The bedsteads are worn out from twenty years' use, and we are quite certain that there are not chairs enough in the building to give each one of the inmates a seat.

All the purchases of the institution have been made with most rigid economy, for the trustees evidently count well the cost and conditions of the treasury, before ordering any supplies.

We examined the plans which have been made by the trustees for additions and improvements, and found them calculated with great care and saving.

During the present session of the school, no less than thirty-two applicants have been refused admission, because there was no room for them, either for boarding, lodging or studying. The trustees carefully considered the question of admitting all suitable applicants and renting rooms for sleeping apartments, but as the building was crowded in all parts it was decided to refuse admission until the General Assembly could make provisions for carrying into effect, in reference to the blind, article nine, section one, relating to the duties of the General Assembly to provide for the instruction of all persons in the State between the ages of five and twenty-one years.

After our inspection of the building, the school was called together and classes examined in spelling, arithmetic, geography, history, &c., and we were treated to some excellent music. This department is under the direction of Prof. Willhartitz, assisted by Miss J. D. Neal and the more advanced pupils. The exercises were most interesting throughout, and we only regretted that we had not more time to listen. Your committee would report in favor of an appropriation of \$50,000, and for the purposes specified by the board of trustees of said institution in their seventh biennial report to the twenty-sixth General Assembly.

After looking through the institution and examining the school, with all its appurtenances, the question of removing the institution to the country or to the suburbs of the city, was taken under consideration, and your committee spent several hours in viewing the suburban proposition, and after thorough investigation, would respectfully recommend to this General Assembly to improve the present grounds and repair the present buildings, believing, as we do, for various reasons, that the present location is as good as can be found, and is certainly greatly preferable to any location in the country for an institution of this kind.

Respectfully submitted,

J. E. GOODSON,

Chairman Committee Mo. Inst. Ed. Blind.

Which was read, and 150 copies ordered printed.

Mr. Stone introduced a concurrent resolution entitled
Concurrent resolution asking the Congress of the United States

to authorize the proper department to order a survey and report on the condition of the inland waters, from the Mississippi river to the deep harbors of Brunswick, Savannah, and Port Royal, on the Atlantic coast, with a view of ascertaining the practicability of an inland water line;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements and 150 copies ordered printed.

Mr. Asher introduced a bill entitled

An act to amend section 18 of an act entitled an act to create a court of common pleas in Clark county, approved March 25, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Beltrami introduced a bill entitled

An act entitled an act to provide for the erection of a safe and suitable jail in the county of St. Geniveve;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Mitchell introduced a bill entitled

An act to amend an act entitled an act to amend chapter 32 of the General Statutes of the State of Missouri, concerning fees, approved March 4, 1869;

Which was read the first time the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Collier introduced a bill entitled

An act entitled an act to authorize the county court of Madison county to levy a special tax to rebuild a county jail and to pay the county debt;

Which was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Collier introduced a bill entitled

An act relating to public schools, to be in force in such counties as may adopt this act;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Mr. Davis introduced a bill entitled

An act for the relief of Henry Mitchell, of Pulaski county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

Mr. Stancil introduced a bill entitled

An act to amend sections fifty-four and fifty-five, of chapter two hundred and one of the General Statutes of the State of Missouri, relating to offences against public and private property;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Criminal Jurisprudence.

Mr. Maupin introduced a bill entitled

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Gates introduced a bill entitled

An act to amend section 22, of chapter 36, of the General Statutes of Missouri, concerning the removal of seats of justices, the same being section 22, of article 2, of chapter 40, of Wagner's Statutes ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Gates introduced a bill entitled

An act to amend section 14, chapter 32, General Statutes, and section 14, chapter 56, Wagner's Statutes ;

Which was read the first time the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Brown of Monroe, of the Committee on Local Bills submitted the following report :

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 366, entitled

An act to abolish the Brunswick court of common pleas, and to establish a court of common pleas at Brunswick in its stead with criminal jurisdiction,

Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass with the following amendment;

Which was read.

House bill No. 366,

Was taken up, and the amendment recommended by the committee :

Strike out the words " and shall have been a licensed lawyer in full practice in the circuit court of said Chariton county for at least one year next before his election or appointment," in the 4th section of the bill,

Was agreed to.

The bill as amended was read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Gates, George, Girdner, Goodson,

Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Latshaw, Leach, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—101.

NOES—Messrs. Sanford, Leeper and Smith—3.

Absent—Messrs. Abbee, Bittering, Brown of Monroe, Bulkley, Edens, Frost, Hackman, Koch, Kost, Pope, Sloan, Turner, Wielandy and Worden—14.

Absent with leave—Messrs. Barrett, Bass, Breazeale, Dent, Eubanks, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall and Richardson—13.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

Title read and agreed to.

Mr. Asher moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Stone, by consent, called up,
House bill No. 363, entitled

An act to provide for a special election in St. Louis county, for the purpose of electing a county treasurer of said county;

Which was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bell, Beltrami, Bennett, Bittering, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Buller, Bunch, Burrows, Burton, Butler, Chilton, Olaiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Lamson, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—109.

NOES—Mr. Moore of Stone—1.

Absent—Messrs. Alsup, Brown of Monroe, Bulkley, Doak, Edens' Kost, Moore of Livingston, Pope and Sloan—9.

Absent with leave—Messrs. Barrett, Bass, Breazeale, Dent, Eubanks, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall, Richardson and Worden—14.

Sick—Messrs. Gratiot, Hackman, Hammett and O'Bannan of Dallas—4.

Mr. Stone moved to reconsider the vote by which the bill passed, and lay that motion on the table;
Which was agreed to.

Mr. Goodson, of the Committee for the Education of the Blind, submitted the following report:

MR. SPEAKER: Your Committee on the Missouri Institution for the Education of the Blind, to whom was referred

Senate concurrent resolution No. 27,

Have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it do pass; Senate concurrent resolution No. 27, entitled

Concurrent resolution to furnish the Missouri Institute for the Education of the Blind, a copy of Wagner's Statutes, the session acts, and House and Senate journal for 1870;

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Lamson, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—112.

NOES—None.

Absent—Messrs. Beltrami, Brown of Monroe, Edens, Kost, Pope and Steele—6.

Absent with leave—Messrs. Alsup, Barrett, Bass, Breazeale, Dent, Eubanks, Hackman, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall, Richardson and Worden—16.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bill No. 67, entitled

An act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county,

And passed the same;

Which was read.

Mr. Maupin, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee to whom was referred

House bill No. 306, in relation to public roads,

Have had the same under consideration and have instructed me to report back the accompanying substitute, with the recommendation that it pass;

Which was read.

House bill No. 306, entitled

An act to provide for the working of the public roads in certain counties of this State;

Was taken up, together with the amendment by way of substitute as recommended by the committee,

Which was read, and on motion, 150 copies ordered printed.

Mr. McMillan called up report of the Committee on Internal Improvements, on

House bill No. 181, entitled

An act to amend sections seven and twelve of an act entitled an to incorporate the Osage Valley and Southern Kansas railroad company, approved November 21, 1857;

Which was taken up.

The following amendments, as recommended by the committee;

Amend section 2, fifth line, by striking out "twenty-five" and substituting "twelve;"

Amend section two, sixth line, by striking out "amendment" and insert "act;"

Amend section two, twenty-third line, after the word "districts," as follows: *Provided*, that the Osage Valley and Southern Kansas railroad company shall be subject to the provisions of the general laws of the State now in force or hereafter to be enacted, classifying freight and fixing the regulations, rates and charges for the transportation of freights and passengers by railroad in this State; *and further provided*, that the provisions of this section, subjecting the Osage Valley and Southern Kansas railroad to further legislation, shall not take effect until after March 17, 1873;

Were read and agreed to.

The bill as amended was read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Dolman, Ed-

wards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Lamson, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Mortell, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Robinson, Ro'ston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—106.

NOES—Messrs. Dean, Wilkes, and Williams of Morgan—3.

Absent—Messrs. Abbee, Beltrami, Brown of Monroe, Claiborne, Clark, Cloud, Edens, Kost, Pope, and Worden—10.

Absent with leave—Messrs. Alsup, Barrett, Bass, Breazeale, Dent, Eubanks, Hackman, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall and Richardson—15.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

The title was read and agreed to.

Mr. McMillan moved to reconsider the vote by which the bill passed, and to lay that motion on the table ;
Which was agreed to.

Mr. Shewalter called up substitute for House bill No. 85, which being the regular order of the day.

House bill No. 85, entitled.

An act to create the office of Public Printer and to prescribe the duties thereof,

Was taken up.

Mr. Knott offered the following amendment:

Amend section two by striking out all after the words "General Assembly" in third line and inserting in lieu thereof—

"*Provided, however,* that both Houses of the General Assembly shall meet in joint session within five days after this act becomes a law for the purpose of electing a Public Printer, who shall hold the office for two years from May 1st, 1871 ;"

Which was read and adopted.

Mr. Thomas offered the following amendment:

Amend section four, second line, by adding after the word "security" the words "residents of this State ;"

Which was read and adopted.

Mr. Knott offered the following amendment:

Amend section six by adding "provided that in case of the death of the Public Printer, his legal representative may, if they so elect within ten days after such death, continue to do the public printing until the expiration of the term of office for which said Public Printer was elected ;"

Which was read and adopted.

Mr. McMillan offered the following amendment :

Amend by adding after the words "General Assembly" "which printing shall be done at the City of Jefferson;"

Which was read and adopted.

Mr. Shafer offered the following amendment:

Amend by striking out in ninth line the words "the same shall be measured as solid small pica matter;"

Which was read and not agreed to.

Mr. Buller offered the following amendment:

Amend section fourteen, line two, by striking out the words "one dollar" and inserting "fifty cents;"

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend by adding the follow words: "Which price shall be manufacturer's prices, with transportation added;"

Which was read and agreed to.

Mr. Buller offered the following amendment:

Amend section fourteen, line two, by striking out "one dollar" and inserting "seventy-five cents."

Mr. Knott offered the following resolution:

Resolved, That section fourteen be referred to a special committee of five, consisting of Messrs. Shafer, Bittinger, Buller, Leeper, Brown of Monroe, and Brown of Howard, to report at 2 o'clock;

Which was read and adopted,

On motion of Mr. Claiborne,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Latshaw of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred

House bill No. 101, entitled

An act to appropriate money for the benefit of the State Board of Agriculture,

Have had the same under consideration, and beg leave to report the accompanying substitute, with the recommendation that it do now pass;

Which was read.

House bill No. 101, entitled

An act to appropriate money for the benefit of the State Board of Agriculture,

Was taken up,

Mr. Marshall offered the following amendment:

Amend by adding the following new sections:

SEC. 4. The sum herein appropriated shall be in full of all expenditures incurred by said board.

SEC. 5. All acts in conflict with this act are hereby repealed.

Which were read.

On motion of Mr. Stone,

The bill was passed over informally.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

STATE OF MISSOURI, SENATE CHAMBER,
CITY OF JEFFERSON, February 28, 1871.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following entitled bills and concurrent resolutions have been introduced into and passed the Senate:

Senate bill No. 113, entitled

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park.

Senate concurrent resolution No. 30, entitled

Concurrent resolution relative to the destruction of plates used for the printing of Union Military Bonds.

In which the concurrence of the House is respectfully requested.

Also, that the Senate has taken up and concurred in House amendments to

Senate bill No. 48, entitled

An act to regulate and provide for the inspection of tobacco;

Which was read.

Mr. Shafer offered the following report:

MR. SPEAKER: You special committee, to whom was referred section fourteen of substitute for House bill No. 85, respectfully report that they have had the same under consideration and offer the following substitute with the recommendation that the same be adopted in lieu of said section fourteen;

Which was read.

The following substitute for section fourteen of House bill No. 85, as recommended by the committee, was reported:

SEC. 14. For printing bills, resolutions or documents ordered by the General Assembly or either House thereof the Public Printer shall receive thirty-seven and one-half cents per thousand ems for every hundred copies, not exceeding five hundred copies, and eight cents per thousand ems for every hundred copies when the number exceeds five hundred and does not exceed one thousand copies; and six cents per thousand ems for every hundred copies when the copies exceed one thousand and do not exceed five thousand, and four cents per thousand ems for every additional hundred copies exceeding five thousand; *provided*, that when the two Houses of the General Assembly shall each order a separate quantity of the same work it shall be only charged as for one and the same order. The bills and resolutions ordered by either House of the General Assembly shall be printed on good cap paper, on small pica type, each page to contain

not less than thirty lines of solid matter of the usual length, with a great primer reglet only in each space between the lines, and the composition shall be measured as solid small pica matter, but no blank page shall be counted, and no page after the first, which may be partly printed, shall be paid for except for the part printed. The Public Printer shall be allowed to charge in his account the cost price of the page used in the above work, for which he shall be allowed manufacturer's net prices with transportation added ;

Which were read and adopted.

The Speaker laid before the House the following communication from the mayor of New York city :

MAYOR'S OFFICE, NEW YORK, February 26, 1871.

*D. A. Sutton, Esq., Chief Clerk of the House of Representatives,
City of Jefferson, Mo.:*

DEAR SIR: I have the honor to acknowledge the receipt of your letter of the 20th, transmitting a copy of the resolutions of the Legislature of Missouri expressing the sympathy of the people of that State in the cause of Ireland, and inviting O'Donavan Rossa and his companions to accept a public reception.

I beg leave to inform you that the mayor has forwarded, as requested, the copy of the resolutions referred to.

Very respectfully,

Your obedient servant,

CHAS. O. JOLINE,

Chief Clerk.

Which was read.

Mr. Shafer offered the following amendment :

Amend the third line, section nineteen, by striking out the word "two" and insert "one," also the fourth line by striking out "one dollar" and inserting "fifty cents ;"

Which was read and not agreed to.

Mr. Buller offered the following amendment :

Amend by striking out "44½" and insert "40 cents," and strike out the word "five" in lieu of and insert "three ;"

Which was not agreed to.

Mr. Buller offered the following amendment :

Amend by striking out the words "forty cents" and insert "thirty-five" in line two ;

Which was read and agreed to.

Mr. Hardin offered the following amendment :

Amend section twenty-five by inserting "forty per cent" instead of "fifty per cent ;"

Which was read and agreed to.

Mr. Shafer moved to strike out section thirty-one ;

Which was not agreed to.

Mr. Shields moved to strike out the enacting clause ;

Which was ruled out of order.

Mr. Shields appealed from the decision of the Chair.

Mr. Knott moved to reconsider the third reading of the bill ;

Which was agreed to.

Mr. Shields withdrew his appeal,

And the motion to strike out the enacting clause was entertained by the Chair.

The vote on the motion of Mr. Shields to strike out the enacting clause was not agreed to by the following vote :

AYES—Messrs. Asher, Bulkley, Dod, Fassen, George, Lamson, Martin of Caldwell, Miller, Norris, Shafer, Shields and Wilkes—12.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dent, Doak, Dolle, Dolman, Edwards, Frost, Gates, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott Koch, Kost, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Mabrey, McAllister, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Steel, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—100.

Absent—Messrs. Collier, Edens, Maupin, Pope, Raney and Sharp—6.

Absent with leave—Messrs. Alsup, Barrett, Bass, Breazeale, Dent, Eubanks, Hackman, Langston, Marlin, McPike, Ming, Mullins, Neal, Randall, Richardson and Worden—16.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

The bill, as amended, was read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Monroe, Buckham, Buller, Burrows, Butler, Chilton, Claiborne, Cloud, Colcord, Coleman, Crockett, Davis, Doak, Dolman, Edwards, Frost, George, Girdner, Gray, Haas, Harmon, Howell, Hubbell, Knott, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Mitchell, Moore of Stone, Mortell, Murphy, Myers, Newman, O'Bannon of Pettis, Pauley, Ray, Samuel, Sanford, Schooley, Sharp, Shewalter, Sloan, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden Von Kochtitzky, Walker, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Mr. Speaker—78.

NOES—Messrs. Adams of Butler, Asher, Bradshaw, Brown from Howard, Bulkley, Burton, Clark, Dean, Dodd, Dolle, Fassen, Gates, Goodson, Hickman, Hooper, Kitchen, Kost, Lamson, Leach, Martin of Caldwell, Miller, Moore of Livingston, Norris, Robinson, Rolston, Scoville, Shafer, Shields, Sides, Smith and Wilkes—31.

Absent—Messrs. Bunch, Collier, Edens, Hardin, Hutt, Koch, Murray, Pope and Raney—9.

Absent with leave—Messrs. Alsup, Barrett, Bass, Breazeale, Dent, Eubanks, Hackman, Langston, Marlin, McPike, Ming, Mullings, Neal, Randall, Richardson and Worden—16.

Sick—Messrs. Gratiot, Hammett, and O'Bannan of Dallas—3.

Mr. Martin of St. Louis, of Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 67, entitled

An act to repeal an act entitled an act defining the powers of the county court of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county;

Which was read.

On motion of Mr. Wielandy,

The House took up substitute for

House bill No 101, with the amendment by way of substitute as recommended by the committee;

Which was read.

Mr. Moore of St. Livingston, offered the following amendment:

Amend by adding to section one: "and the sum of one thousand dollars is hereby appropriated for the State Horticultural Society, to be paid to the treasurer thereof quarterly;"

Which was read and adopted.

Mr. Edwards offered the following amendment:

Amend by adding the following section:

One thousand dollars of the above sum shall be appropriated to the distribution of what Mr. Greeley "Knows about Farming," among the farmers of this State;

Which was read and not agreed to.

Mr. Thomas offered the following amendment:

Amend by striking out section two of the bill;

Which was read.

Pending which,

On motion of Mr. Bell,

The House adjourned until 10 o'clock, to-morrow morning.

WEDNESDAY, MARCH 1, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Bell,
The further reading of the journal be dispensed with.

Which was not agreed to.

Mr. Shafer moved that the further reading of the journal be dispensed with, except that part which relates to House bill No. 85 ;
Which was agreed to.

Mr. Claiborne introduced a bill entitled

An act to abolish within the corporate limits of the city of St. Louis, the office of justices of the peace, the office of constable, the office of judge of the St. Louis court of criminal correction, the offices of clerk and prosecuting and assistant prosecuting attorney of said court, and to abolish said court and to declare all the said offices vacant, and to institute courts and other offices in lieu of said court and offices so abolished, and to provide for the appointment of officers of said courts so instituted, and to declare the powers, jurisdiction and practice of said courts and the powers and duties of said officers ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Brown of Howard, introduced the following resolution :

Resolved, That the resolution passed on yesterday, ordering night sessions, be suspended for the present week ;
Which was read and adopted.

Mr. Murphy introduced the following resolution :

Resolved, That the House of Representatives meet at nine instead of ten o'clock, until the 15th inst.,
Which was read and not agreed to.

Mr. Newman offered the following resolution :

Resolved, That the use of this hall is hereby tendered to the citizens of Jefferson City, for the purpose of holding their proposed banquet to be given to the Governor and members of this Legislature, on Friday evening next ;

Which was read and adopted.

Mr. Pope asked leave that the Committee on Retrenchment and Reform be allowed to make a report.

Leave was granted.

Mr. Marshall, of the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

Senate concurrent resolution No 22,

Concurrent resolution for adjournment,

Have had the same under consideration, and have instructed me to report it back to the House with the recommendation that the House do concur therein and pass the same;

Which was read.

Mr. Knott moved to postpone the further consideration of Senate concurrent resolution until March 10th inst.

Mr. Pope moved to lay the motion on the table;

Which was not agreed to.

Mr. Knott's motion to postpone was agreed to.

Mr. Dean introduced a bill entitled

An act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Barton, Lawrence, Wright, Nodaway, Chariton, Mississippi, New Madrid, Pemiscot, Christian, Johnson, Buchanan, DeKalb, Butler, Howell, Stoddard, Webster, Sullivan, Warren, Linn, Phelps, Carter, Grundy, Scott and Oregon, define their jurisdiction, and provide for the election of judge of probate, approved March 19, 1866, and to regulate the fees of the DeKalb probate court;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Laid over informally.

Mr. Bosbyshell presented a memorial of citizens of Missouri and Illinois, asking Congress to make an appropriation for the improvement of the navigation of the Mississippi river;

Which was read.

Mr. Bosbyshell introduced a concurrent resolution entitled

Concurrent resolution asking Congress to make an appropriation for the improvement of the Mississippi river;

Which was read the first time, the rules suspended, read the second time, and,

Laid over informally.

Mr. Moore of Stone presented a petition inquiring into the fact whether the South Pacific railroad has been constructed any farther west than Springfield, in said State, and whether the Atlantic and Pacific Railroad Company is a corporation chartered by the Congress of the United States;

Which was read, and, on motion,

Referred to joint committee on Atlantic and Pacific railroad.

Mr. Leeper introduced a bill entitled

An act to require the life insurance companies of this State to invest their monies in certain securities;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Insurance.

Mr. Samuel introduced a bill entitled
An act to appropriate money for the benefit of the State Lunatic Asylum;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Richardson presented a memorial from the citizens of Franklin county in favor of House bill No. 156, relating to life insurance;

Which was read, and on motion,

Referred to Committee on Insurance.

Mr. Richardson introduced a bill entitled

An act to ascertain the indebtedness of Franklin county;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Brown of Howard, introduced a bill entitled

An act to amend an act entitled an act to provide for the assumption by new counties of their proportionate part of the indebtedness of the counties from which they may be organized, approved January 24, 1870:

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Judiciary.

Mr. Newman presented a memorial from the citizens of Boone county, endorsing House bill No. 157, and requesting its passage;

Which was read, and on motion,

Referred to Committee on Insurance.

Mr. Goodson presented a memorial from citizens of Macon county, endorsing the provisions of House bill No. 157, and urging its passage;

Which was read, and on motion,

Referred to Committee on Insurance.

Mr. Bunch presented a petition from citizens of Taney county in relation to building a bridge across White river;

Which was read, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Buller introduced a bill entitled

An act in relation to jurors in justices' courts;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Justices of the Peace.

Mr. Buller introduced a bill, entitled

An act to amend an act entitled an act to amend sections eleven, fourteen and fifteen of chapter twenty-six of the General Statutes of 1865, relating to recorder of deeds, approved March 25, 1870, being section eleven, chapter one hundred and fifteen of Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

By unanimous consent of the House leave of absence was granted to Mr. Kitchen for three days.

Mr. Shewalter presented a petition from citizens of the city of Waverly, in Lafayette county, approving a bill to amend the charter of said city;

Which was read, and on motion,
Referred to Committee on Local Bills.

Mr. Shewalter introduced a bill entitled

An act to amend the charter of the city of Waverly;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. O'Bannon of Pettis presented a memorial from the citizens of Sedalia, in Pettis county, asking the passage of a bill restricting the boundary of said city within certain limits;

Which was read, and, on motion,
Referred to Committee on Local Bills.

Mr. O'Bannon of Pettis introduced a bill entitled

An act amendatory of an act extending the corporate limits of the city of Sedalia in Pettis county, Missouri, approved February 21, 1870;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Haas introduced a bill entitled

An act to revise and amend an act entitled an act to incorporate the city of California, and acts amendatory thereto, approved November 14, 1857;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Dean introduced a bill entitled

An act to amend an act entitled an act to incorporate the State Insurance Company of the city of Hannibal, approved February 15, 1865, and an act amendatory thereof, approved March 4, 1869, entitled an act to amend an act to incorporate the State Insurance Company of the city of Hannibal, approved February 15, 1865;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Insurance.

Mr. Dean presented a petition from citizens of DeKalb county asking the passage of a law restraining swine from running at large in said county;

Which was read, and
Referred to Committee on Agriculture.

Mr. Samuel, from the Committee on the State Lunatic Asylum, submitted the following report:

MR. SPEAKER: Your Committee on State Lunatic Asylum have visited the said institution and herewith submit the following report:

Your committee found the sanitary condition of said institution as good as could be hoped for, and the management of the same certainly reflects much credit upon the superintendent.

The number of insane persons now in said asylum is three hundred and twenty-four. Said institution is capable of accommodating three hundred and fifty persons comfortably.

Your committee found discord and contention existing between some of the members of the board of managers and the superintendent, the same being to such an extent that it was necessary for your committee to enter into a thorough and complete investigation of the same, which was accordingly done, resulting in the exoneration of the superintendent.

Yet we were fully of the opinion that the difficulties and disagreements between the parties heretofore referred to were of such a character that it was detrimental to the welfare and future management of said institution, thereby rendering it necessary that some change should be made for the future prosperity and interests of said asylum. Dr. O. H. Hughes, the superintendent, informed us that his resignation was then in the hands of the board of managers to take effect the 18th of May next, and that he has no disposition to recall the same.

The facts connected with the foregoing statements were communicated to the Governor who, we are informed, has made some changes in the board of managers, and we have reason to believe that the management of said asylum will be more harmonious in the future and the general prosperity of said institution largely advanced.

Your committee, after a careful examination of the premises, found that there was need of repairs in several of the different departments as follows:

First, The foundation walls of the main building, which have heretofore been partly repaired, but not to the extent that the safety of the building required. The foundation walls were made of soft brick, and the immense weight resting upon the same caused them to crush and give way, thereby endangering the safety of the entire building.

We found a portion of the foundation walls spoken of replaced by substantial stone work, not to the extent, however, that the necessities of the buildings require. We would therefore recommend that the stone work be continued until the whole of said foundation be completed, or so much thereof as may be necessary to entirely secure the buildings. In this connection we will state that there were fifteen hundred dollars appropriated by the 25th General Assembly for the purpose of repairing the foundation walls above referred to, which amount was far short of the actual amount necessary to insure the safety of the building. In fact, eighteen hundred dollars more than the amount appropriated was compelled to be expended out of a fund which was appropriated for another purposes, and yet they are not completed. We would therefore recommend that five thousand dollars be appropriated to complete the repairs on said foundation walls, eighteen hundred dollars of this amount should be paid back to the fund from which it was borrowed, leaving thirty-two hundred dollars to complete the work on said foundation walls.

Second. We found the tin roofing and plastering in need of repairs, and therefore recommend that the sum of fifteen hundred dollars be appropriated for same.

Third. The surroundings of the asylum are almost a blank waste, and we recommend that one thousand dollars be appropriated for the improvement and decoration of the grounds of the institution.

Fourth. Many of the windows of said asylum are in need of iron guards, and we recommend that one thousand dollars be appropriated for that purpose.

Your committee are of the opinion that said building should be repainted, and therefore recommend that two thousand five hundred dollars be appropriated for that purpose.

Sixth. Many of the floors of said Asylum have become worn and need repairing, we therefore recommend that one thousand dollars be appropriated for said repairs.

Your committee recommend that the annual appropriation be increased from sixteen to twenty thousand dollars, and further recommend that the charges for board in said institution be made uniform at three and one-half dollars per week.

We find there was three thousand dollars appropriated by the 25th General Assembly for the purpose of building a farm house, which, in the judgment of your committee, is not required at present, we therefore recommend that said amount thus appropriated, or so much of the same as may be necessary, be expended in the building of a barn, such as in the judgment of the board of managers of said institution requires in place of the one recently burned down.

Your committee find that only a small portion of the appropriation made by the last General Assembly for building purposes have been expended, owing to the fact that it was very late in the season when said appropriation was received, for the facts connected with said delay we refer you to the report of the board of managers of said asylum to your honorable body. We were informed, however, that the work on said buildings would commence with the opening of the season and be pushed forward to rapid completion.

Your committee will close by commending the institution to the charitable consideration of your honorable body, and to an All-wise Creator whose blessings are sure in the end to crown sincere and honest efforts made by any of his creatures in behalf of their less fortunate fellow beings.

Which was read, and, on motion,
Referred to Committee on Ways and Means.

The morning hour having expired,

Mr. Thomas called for the special order, being the consideration of the substitute for

House bill No. 101;

Which was resumed.

Mr. Shafer moved to reconsider the vote by which the following amendment passed on yesterday, to wit:

Amend by adding to section one "and the sum of one thousand dollars is hereby appropriated for the State Horticultural Society, to be paid to the treasurer thereof quarterly;"

Which was not agreed to.

The following amendment offered by Mr. Marshall on yesterday, to wit:

SEC. 4. The amount herein appropriated shall be in full of all expenditures to be paid out of the State treasury by said board for any purpose whatever.

SEC. 5. All acts and parts of acts inconsistent with the provisions of the foregoing section are hereby repealed.

Was read and agreed to.

Mr. Thomas offered the following amendment:

Amend section one by striking out "five" and insert "four," and section two by striking it out of the bill.

Which was read and agreed to.

Mr. Knott offered the following amendment to the amendment:

Amend the amendment by striking out "four" and insert "three;"

Which was read and not agreed to.

Mr. Thomas moved to reconsider the vote by which sections four and five were adopted, pending which,

On motion of Mr. Williams of Morgan,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

The House resumed the pending question, being the motion of Mr. Thomas to reconsider the vote by which sections four and five of substitute for House bill No. 101, were adopted.

Mr. Shafer moved to lay the motion to reconsider on the table.

Mr. Abington demanded the ayes and noes.

The motion was not agreed to by the following vote:

AYES—Messrs. Alsup, Ballard, Breazeale, Bulkley, Bunch, Burton, George, Girdner, Howell, McAllister, Miller, Norris, Ray, Schooley, Shafer, Sharp, Turner and White of Texas—18.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bul-ler, Burrows, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Edens, Edwards, Fassen, Frost, Gates, Goodson, Gray, Hackman, Hardin, Harmon, Hooper, Knott, Kost, Lamson, Latshaw, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Myers, Pope, Raney, Robinson, Rolston, Samuel, Sanford, Scoville, Shields, Sides, Sloan, Smith, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Williams of Morgan and Mr. Speaker—80.

Absent—Messrs. Barnes, Beltrami, Borg, Bradshaw, Butler, Claiborne, Dean, Dolman, Haas, Hickman, Hubbell, Hutt, Koch, Murray, Newman, O'Bannon of Pettis, Pauley, Richardson, Shewalter, Sorrell, Walker, Wight of Vernon and Williams of Audrain—23.

Absent with leave—Messrs. Barrett, Bass, Dent, Eubanks, Kitchen, Langston, Marshall, McPike, Ming, Mullings, Neal, Randall, and Worden—13.

Sick—Messrs. Gratiot, Hammett and O'Bannon of Dallas—3.

The question recurred on the motion to reconsider the vote by which sections four and five were adopted ;

Which was agreed to.

Mr. Thomas moved to reject sections four and five ;

Which was agreed to.

Mr. Davis offered the following amendment :

Amend by adding the following :

Sec. 2. There is also hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of five hundred dollars to each county in this State, to be expended by the county courts thereof for the benefit and advancement of the agricultural interests of such counties as may now have, or that may hereafter organize an agricultural or horticultural association ; *provided*, that at the end of one year from the passage of this act, if any county shall have failed to organize an horticultural association, the sum hereby appropriated shall be paid into and become part of the school fund of said county, the annual interest on which shall be applied to the education of farmer's children ;

Which was read.

Mr. Hardin moved to reject the amendment.

The ayes and noes having been demanded by Mr. Davis, the motion to reject was agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Burrows, Clark, Colcord, Crockett, Dod, Dolle, Edwards, Eubanks, Gates, George, Goodson, Gray, Hackman, Hardin, Harmon, Knott, Kost, Lamson, Latshaw, Leach, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Myers, Pope, Richardson, Robinson, Sanford, Shewalter, Smith, Stone, Thomas, Turner, Walker, Wielandy, Williams of Morgan, Worden and Mr. Speaker—65.

NOES—Messrs. Abington, Alsup, Applegate, Bunch, Burton, Chilton, Cloud, Coleman, Collier, Davis, Dent, Doak, Edens, Fassen, Frost, Girdner, Hooper, Howell, Marlin, Marshall, Maupin, Mabrey, McAllister, Miller, Murphy, Norris, Raney, Ray, Schooley, Shafer, Sharp, Shields, Sides, Stancil, Steele, Van Roden, Von Kochtitzky, White of Texas and Wilkes—58.

Absent—Messrs. Beltrami, Borg, Bradshaw, Butler, Claiborne, Dean, Dolman, Haas, Hickman, Hubbell, Hutt, Koch, Murray, Newman, O'Bannon of Pettis, Pauley, Rolston, Samuel, Scoville, Sloan, Sorrell, Squires, Wight of Vernon and Williams of Audrain—24.

Absent with leave—Messrs. Bass, Kitchen, Langston, McPike, Ming, Mullings, Neal and Randall—8.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Latshaw moved to read the bill the third time and put it on its passage.

Mr. Shafer moved to lay that motion on the table;

Which was not agreed to.

Mr. Latshaw's motion was agreed to.

Substitute for House bill No. 101,

Was read third time as amended, and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Clark, Cloud, Colcord, Collier, Crockett, Dent, Doak, Dod, Dolle, Edwards, Frost, Gates, Goodson, Gray, Hardin, Harmon, Knott, Kost, Lamson, Latshaw, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, Maupin, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Pope, Richardson, Robinson, Samuel, Sanford, Scoville, Shewalter, Sides, Shields, Sloan, Smith, Stancil, Steele, Stone, Thomas, Van Roden, Walker, Wielandy, Williams of Morgan and Mr. Speaker—78.

NOES—Messrs. Abington, Alsop, Bradshaw, Breazeale, Bulkley, Bunch, Burton, Chilton, Coleman, Davis, Dolman, Fassen, George, Girdner, Hackman, Hooper, Howell, Marlin, Marshall, McAllister, Miller, Norris, Raney, Ray, Rolston, Schooley, Shafer, Sharp, Turner, Von Kochtitzky, White of Texas and Wilkes—32.

Absent—Messrs. Beltrami, Butler, Claiborne, Dean, Haas, Hickman, Hutt, Koch, Leach, Neal, Sorrell, Squires, Wight of Vernon and Williams of Audrain—14.

Absent with leave—Messrs. Bass, Eubanks, Kitchen, Langston, McPike, Ming, Mullings, Randall, Worden and Hubbell—10.

Sick—Messrs. Gratiot, Hammett and O'Bannan of Dallas—3.

Mr. Abbee offered the following amendment to the title of the bill:

Amend the title by adding after the word "agriculture," the words "and State Horticultural Society;"

Which was read and agreed to.

Mr. Thomas moved to reconsider the vote by which the bill passed.

Mr. Thomas moved to lay his motion to reconsider on the table; Which was agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up

House bill No. 412, entitled

An act supplemental to an act entitled an act to establish the twenty-fourth judicial circuit, and provide for the election of a judge and circuit attorney therefor, approved February 1, 1871,

And passed the same.

Also there has been introduced into the Senate, and passed that body,

Senate bill No. 178, entitled

An act supplemental to an act entitled an act establishing the office of marshal of Jackson county, and defining his duties, approved February 1, 1871;

Which was read.

Mr. Thomas called for the special order for the day, being consideration of

House bill No. 69;

Which was taken up.

The following amendments reported by the committee:

First. Amend section No. 1, by striking out the words, "Tuesday, the fourth day of April, 1871," and insert in lieu thereof the "first Tuesday in May."

Second. Amend section No. 2, by striking out the words to "hold and" after the words "commanding them," and insert the word "to" in lieu thereof, and further, by inserting after the words "of an election" the words "to be held."

Third. Amend section four by striking out the words, "by the same," the word "county."

Fourth. Amend section five by inserting after the words "shall be certified," the words "by the proper officers," and further by striking out all the words after the words "certified by the Governor."

Fifth. Amend section ten, by striking out all the words after the word "passage."

Sixth. Amend the title by inserting after the words "State of Missouri," the words "and to provide for the election of delegates thereto if such convention shall be held;"

Which were read and agreed to.

Mr. Knott introduced the following resolution:

Resolved, That unless a conclusion be sooner reached, debate on the pending question shall cease at 12 o'clock to-morrow, and immediately thereafter the bill shall be read a third time and placed upon its passage.

Mr. Claiborne moved to amend by inserting "now," instead of "12 o'clock to-morrow;"

Which was agreed to.

The bill was read the third time and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Bailard, Barnes, Barrett, Bell, Bennett, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Burton, Chilton, Claiborne, Colcord, Coleman, Collier, Davis, Doak, Dolman, Edens, Eubanks, Frost, Gates, George, Girdner, Gray, Hardin, Howell, Hutt, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, Mitchell, Moore of Livingston, Mortell, Murphy, Myers, Newman, Pauley, Raney, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Sharp, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Thomas,

Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Williams of Audrain and Mr. Speaker—71.

NOES—Messrs. Abbee, Abington, Alsup, Asher, Bittinger, Bohn, Bradshaw, Breazeale, Buckham, Buller, Bunch, Burrows, Clark, Cloud, Crockett, Dent, Dod, Dolle, Goodson, Hackman, Hooper, Knott, Kost Lamson, Leach, Marlin, Marshall, Martin of Caldwell, McMillan Miller, Moore of Stone, Norris, O'Bannon of Pettis, Pope, Robinson, Shields, Steele, Squires, Wielandy, Wilkes and Williams of Morgan—43.

Absent—Messrs. Beltrami, Butler, Dean, Edwards, Fassen, Langs ton, Murray, Neal, Scoville and Shafer—10.

Absent with leave—Messrs. Bass, Haas, Kitchen, McPike, Ming, Mullings, Randall and Worden—8.

Sick—Messrs. Borg, Gratiot, Hammett, Hubbell and O'Bannan of Dallas—5.

Mr. Colcord moved to reconsider the vote by which the bill passed,

Mr. Colcord moved to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following reports:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that the following bills have been presented to the Governor for his approval:

House bill No. 412, entitled

An act supplemental to an act entitled an act to establish the twenty-fourth judicial circuit, and provide for the election of a judge and circuit attorney, approved February 1, 1871;

Which was read.

Mr. Martin of St. Louis, chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 412, entitled

An act supplemental to an act entitled an act to establish the twenty-fourth judicial circuit and provide for the election of a judge and circuit attorney, approved February 1, 1871;

Which was read.

Leave of absence was granted to the following gentlemen:

Mr. Haas for four days.

Mr. Wielandy for one day.

On motion of Mr. Hackman,

Adjourned until to-morrow morning at 10 o'clock.

THURSDAY, MARCH 2, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when
On motion of Mr. Burrows,
The further reading of the journal was dispensed with.

Mr. Shafer asked leave to state that if he had been present on yesterday he would have voted for the bill calling a Constitutional Convention.

Mr. Murray stated that he should have voted for the bill.

Mr. Beltrami stated that he should have voted for the bill.

Messrs. Scoville, Langston, Worden, Fassen and Edwards stated that they should have voted against the bill.

Mr. Edwards rose to a question of privilege, and said:

MR. SPEAKER: The vote upon the Constitutional Convention was taken unexpectedly to me yesterday. I supposed from the number of speeches that were to be made, that a vote would not be taken until to-day, and I was absent at the time the roll was called.

I desire to give my reasons and have them entered upon the journal, why I should have voted no upon the question, if I had been present. As I have stated before upon this floor, I wish to say again to-day, that I am, and have ever been hostile to the Drake constitution, and that I am in favor of a new constitution that will reflect honor upon our State, and rival that of our sister State across the Mississippi, but believing our paramount duty at this session of the Twenty-sixth General Assembly is to pass those laws which may be called the great relief measures of the State, which the people so loudly demand, and believing that the next session of this assembly will be the auspicious time for calling this convention, I should have voted no upon this question had I been present. I will be prepared to vote aye at the next session of this assembly upon this question.

Mr. Worden presented a petition from citizens of Cass county, desiring the passage of a law prohibiting township organizations;

Which was read, and

Referred to Committee on Township Organizations.

Mr. Pope introduced a concurrent resolution, entitled
Concurrent resolution of instruction as to improvement of Osage river:

Which was read the first time, the rules suspended, read the second time.

Mr. Bell introduced a bill entitled

An act to amend section two, of chapter ninety-eight, General Statutes of Missouri, being section two, of chapter forty-eight, Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time and on motion,

Referred to St. Louis Delegation.

Mr. Turner introduced a bill entitled

An act to amend an act entitled an act to establish a court of common pleas at the town of Cameron, in Clinton county, approved March 28, 1861;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Local Bills.

Mr. Dolman introduced a bill entitled

An act to quiet the title to the northwest quarter of section seven (7,) township fifty-four (54,) range twenty (20,) in Chariton county, Missouri, so far as any interest the State of Missouri may have in the same is concerned;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary

Mr. Burrows introduced a bill entitled

An act to amend section one (1,) chapter eight (8,) of the General Statutes of Missouri;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Retrenchment and Reform.

Mr. Butler introduced a bill entitled

An act to provide for the election and fix the terms of office of justices of county courts, except the county of St. Louis;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the Committee on Judiciary.

Mr. Auer introduced a bill entitled

An act to amend an act entitled an act to amend sections eleven, fourteen and fifteen, of chapter twenty-six, of the General Statutes of Missouri, being sections eleven, fourteen and fifteen, of chapter one hundred and fifteen, Wagner's Statutes:

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Thomas introduced a bill entitled

An act to amend an act entitled an act amending chapter one hundred and twenty-eight, of the General Statutes of Missouri, in relation to public administrators;

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Judiciary.

Mr. Hubbell introduced a bill entitled
An act to establish a savings institution to be called the Savings Bank, Trenton, Grundy county, Mo.;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to the Committee on Banks and Corporations.

Mr. O'Bannon of Pettis, called up
House bill No. 61,
And presented a petition from citizens of Pettis county praying its passage.

Mr. O'Bannon of Pettis moved to suspend the rules and consider House bill No. 61.

The ayes and noes being demanded, the motion was lost by the following vote:

AYES—Messrs. Abington, Adams of Gentry, Applegate, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bosbyshell, Bradshaw, Brown of Howard, Buller, Burton, Colcord, Collier, Crockett, Dean, Doak, Dolle, Edens, Edwards, Gates, George, Girdner, Goodson, Gray, Hardin, Harmon, Hooper, Hubbell, Hutt, Knott, Koch, Latshaw, Leach, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, Mitchell, Mortell, Murphy, Murray, Newman, O'Bannon of Pettis, Raney, Ray, Richardson, Robinson, Samuel, Sanford, Shafer, Shewalter, Sides, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Williams of Audrain, Williams of Morgan and Worden—69.

NOES—Messrs. Adams of Butler, Alsup, Asher, Bittinger, Breazeale, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Clark, Cloud, Coleman, Davis, Dent, Dod, Dolman, Eubanks, Fassen, Frost, Hickman, Howell, Kost, Lamson, Langston, Marlin, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Neal, Norris, Pope, Rolston, Schooley, Scoville, Shields, Smith, Sorrell, Steele, White of Texas and Wilkes—42.

Not voting—Mr. Speaker—1.

Absent—Messrs. Barnes, Bohn, Butler, Chilton, Claiborne, Martin of Caldwell, Myers, Pauley, Sharp and Sloan—10.

Absent with leave—Messrs. Bass, Haas, Kitchen, Marshall, McPike, Ming, Mullings, Randall and Wielandy—9.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett, and O'Bannan of Dallas—6.

Mr. Bennett introduced a bill entitled
An act to amend certain sections of article two of chapter one hundred and eighteen of Wagner's Statutes, concerning the assessment of property, and to repeal sections eleven to twenty-one inclu-

sive of article one of chapter one hundred and eighteen, and thereby abolishing the State and county boards of equalization ;

Which was read the first time, the rules suspended, read the second time, and on motion

Referred to Joint Committee on Revenue.

Mr. Cloud introduced a bill entitled

An act for the relief of Frederick Rowe ;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to Committee on Claims.

Mr. Bittinger introduced a bill entitled

An act to authorize the Hannibal and St. Joseph Railroad Company to construct a branch of its road from a point on the main line thereof at or east of Monroe City, by way of St. Charles to the city of St. Louis, and to aid other companies to construct their railroads ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Bittinger introduced a bill entitled

An act to amend an act entitled an act to secure the completion of certain railroads in this State, which became a law December 10, 1855 ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Internal Improvements.

Mr. Mitchell moved to suspend the rules and take up a bill of a general character ;

Which was not agreed to.

The morning hour having expired,

Mr. Richardson called for the regular order of business, being House bill No. 114, entitled

An act to audit and pay the war debt of Missouri, and appropriate money therefor ;

Was taken up.

Mr. Richardson offered the following amendment :

Amend section one, by adding after the word "file," third line printed bill, the words "or heretofore filed ;"

Which was read first and second times and agreed to.

Mr. Richardson offered the following amendment :

Amend section eight by adding to the end of the section the words "for the pay of irregular claims ;"

Which was read first and second times and agreed to.

Mr. Pope moved to consider House bill No. 114 by sections ;

Which was agreed to.

Mr. Buller offered the following amendment :

Amend by striking out section one and inserting in lieu thereof the following :

Section 1. The Acting Quartermaster General and Adjutant General shall have power to act as commissioners to examine, adjust and audit the claims of loyal citizens now on file or which may have been heretofore filed in the Quartermaster General's office, which are known as irregular Claims against the State ;

Which was read.

Mr. Pope moved to lay the bill and amendment on the table;

The ayes and noes being demanded by Mr. Richardson, the motion was agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Asher, Auer, Bell, Bennett, Bradshaw, Buckham, Burrows, Chilton, Coleman, Crockett, Davis, Dolle, Edens, George, Harmon, Howell, Hutt, Koch, Kost, Lamson, Langston, Leeper, Marlin, Marshall, Mabrey, Moore of Livingston, Murray, Neal, Newman, O'Bannon of Pettis, Pope, Raney, Robinson, Samuel, Sanford, Schooley, Sharp, Shields, Sides, Smith, Stancil, Thomas, Van Roden, Von Kochitzky and White of Texas—49.

NOES—Messrs. Applegate, Ballard, Barrett, Bohn, Breazeale, Brown of Monroe, Bulkley, Buller, Bunch, Burton, Claiborne, Clark, Cloud, Oolcord, Collier, Dod, Frost, Gates, Girdner, Goodson, Gray, Hardin, Hubbell, Knott, Latshaw, Logan, Martin of Caldwell, Maupin, McAllister, McMillan, Miller, Moore of Stone, Mortell, Norris, Richardson, Scoville, Steele, Stone, Turner, Wight of Vernon, Wilkes, Williams of Morgan and Worden—43.

Not voting—Mr. Speaker—1.

Absent—Messrs. Barnes, Beltrami, Bittinger, Bosbyshell, Brown of Howard, Butler, Dean, Doak, Dolman, Edwards, Eubanks, Fassen, Hickman, Hooper, Leach, Martin of St. Louis, Mitchell, Murphy, Myers, Pauley, Ray, Rolston, Shafer, Shewalter, Sloan, Sorrell, Squires, Walker and Williams of Audrain—30.

Absent with leave—Messrs. Bass, Dent, Haas, Kitchen, McPike, Ming, Mullings, Randall and Wielandy—9.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett, and O'Bannon of Dallas—6.

On motion of Mr. Newman,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Gray of the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined and find correctly engrossed

House bill No. 181, entitled

An act to amend section seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857;

And substitute for House bill No. 182, entitled

An act to provide for a Bureau of Geology and Mines, to complete the geological survey of the State of Missouri.

Mr. Shields, of the special committee to whom was referred the Governor's message in relation to the James B. Eads' claim, submitted the following report:

To the Honorable the Speaker and Members of the House of Representatives of the Twenty-sixth General Assembly of Missouri:

Your committee to whom was referred the special message of Governor Brown and the accompanying papers relating to the sale of stock owned by the State in her own right, and held by her as trustee of the Sinking Fund Public School Fund and Seminary Fund in the late Bank of the State of Missouri (now the National Bank of the State of Missouri), beg leave to report that the matter has been under consideration, and a careful examination thereof develops the following state of facts:

It appears from the testimony elicited that James B. Eads, after the advertised day for receiving proposals for said stock by the State's agent, Josiah Fogg, Esq., as required by the act authorizing the sale of said stock bid therefor, the sum of \$108 50 per share, to be paid for in bonds and coupons of the State of Missouri, "the interest on the bonds to be estimated and allowed up to the date of payment of the bonds;" that said proposal was received by said agent, June 12th, 1866, and by him recommended to the Governor for his approval; that the Governor approved the said bid, and ratified the sale of said stock to said Eads thereunder, of which approval Eads was duly notified; that on the 18th of June and 14th of July, 1866, the said Eads paid to the Treasurer of the State, the sum of one million one hundred and fifty-five dollars in bonds and coupons of the State, to-wit:

580 six per cent. bonds.....	\$580,000 00
311 seven per cent. bonds.....	311,000 00
73 nine per cent. revenue bonds.....	73,000 00
Past due coupons.....	214,655 00

Amount acknowledged by Treasurer's receipts.. \$1,178,655 00

That on the 30th June, 1866, the said bank declared a dividend on said stock to the amount of \$104,410 77, payable July 20th, 1866; that on the 20th July, 1866, the said dividend was demanded of the bank by the Governor and the State Treasurer, but payment thereof was refused.

It appears further that June 20th, 1866, the Governor transferred on the books of the bank, the whole of said stock to James B. Eads (the transfer was actually made on the 27th, but dated on the 20th owing to the absence of the Governor), and he has had complete possession and control thereof ever since, and has received the dividends accruing thereon; that the Attorney General, at the instance

and direction of the Governor, brought suit for the collection of the said dividend of \$104,410 77, in the name of the State against the Bank of the State of Missouri; that the case was finally disposed of by the Supreme Court of the State at the March term, 1870, of said court, in which decision the court held that the sale to Eads, so made by the State's agent, was void, because he had not followed the provisions of the act of the Assembly empowering and authorizing him to act; that on receiving the said bid of said Eads after the day mentioned in his advertisement, was not within the scope of his authority, and that the State was not bound by such illegal act, and still held the bank stock, and was entitled to receive said dividend; that the bank paid said dividend of \$104,410 77, into the State Treasury on the — day of September, 1870. Thus the matter stands, the State is the owner of the stock which is held by Mr. Eads, and holds the bonds of the State belonging to said Eads.

Your committee would further report that they have examined into the affairs of the bank so far as they were able so to do, without a strict personal examination of the books, securities, etc., of the bank, which was not within their province, that about the only evidence on that subject is the annual printed statements of the officers of the bank required of them by law; that the present current market value of the bank stock is from 77½ to 80 cents per share, the State bond range from 92 cents, for sixes, to 97 to 99, for sevens, and may be so far as the State is concerned, rated at par, that since the sale of this bank stock, the old State Bank of Missouri has been reorganized under the laws of the United States as a National Bank, known as the National Bank of the State of Missouri, and is on an entirely different basis from the old bank, that the dividends heretofore declared since the sale till July 1870, were five per cent. semi-annually; since then three and a half per cent. semi-annually. The State has had no voice in the control of the affairs of the bank since the sale to Mr. Eads, the exact condition thereof cannot be exactly ascertained save by an examination by persons familiar with the business and with the securities held by the bank; the State under the constitution cannot hold her stock therein, but must throw it sooner or later into the market for sale; the suspense and uncertainty of the termination of the suit aforesaid, of legislative action, have already had the effect to depreciate the stock, therefore it is respectfully submitted that unless the said sale is confirmed, or ratified to Mr. Eads, or a re-sale made thereof to him on the terms of the original contract the stock will further depreciate, and the State will lose money by holding said stock, or re-advertising the same for sale.

The committee are of the opinion that it would not be wise to take possession of this stock, encumbered with the business transactions of four years and one-half of Mr. Eads and his associates, and that they are better qualified to settle up that business than the State agents could possibly be, and that the true policy of economy would not suggest as a pecuniary advantage to the State, the return to Mr. Eads of his bonds and coupons and interest thereon, and receive therefor the stock, where after four years and one half the stock rates at 80 cents per share and the bonds from 92 to 98 cents on the dollar. Your committee do not doubt the safety of the bank, nor the strict integrity of its management, but are of the opinion, that those who have managed it for the past 4½ years are the proper persons to wind up the affairs of those years and not the State. It may be remarked that the State stock was the controlling interest, not in number of shares, but as a whole, it controlled the organization of the National

Bank; since then it has lost this value as the stockholders have by a vote authorized the increase of said capital stock to five million dollars. Of course, if desirable, the present management could subscribe all that amount, and thereby prevent the State interest from controlling the affairs of the bank. The State law authorizing the reorganization of a National Bank, only gives the State three out of nine directors, and even if the State held her stock, she would in a measure be at the mercy of the other directors, if they desired to harbor her interests. It is doubtful, however, if this provision of the law would aid her, as the mode of election, directors in the National Banks is prescribed in the United States laws, and the laws of the State is conflicting. The State would, of necessity, have the right to vote her stock, but to have an absolute representation on the board of three directors appointed by the Governor, would not be in conformity to the laws of Congress authorizing the organization of National Banks. On account of the foregoing, and other considerations, your committee would report that in their opinion the interest of the State would be greatly advanced by the resale of said stock to Eads, on the original terms of his contract. In the figures hereinafter set forth, and the settlement recommended, the committee have endeavored to conform to the principles of equity and justice, and have not sought to take advantage of the fact that the State cannot be sued like an individual, and that Mr. Eads is at the mercy of the Legislature, believing that the true interest of the State never would dictate a course overriding and trampling on the rights of an individual. In this settlement we have treated both alike, guarding the interest of the State, and considering fairly and equitably the claims of Mr. Eads, and also the interest of other stockholders in the said bank.

The subjoined statement will show the status of the matter from the figures presented by Mr. Eads, and also a careful calculation and statement made out by the State Auditor at the request of the committee. If the sale was not confirmed, the State would have to pay Mr. Eads the following amount, to wit:

580 six per cent. bonds.....		\$580,000 00
311 seven per cent. bonds.....		311,000 00
Amount in bonds to be returned by the State to Mr. Eads.....		891,000 00
		<hr/>
In cash past due coupons.....		\$214,655 00
Interest thereon to March 1, 1871.....		60,103 40
100 seven per cent. coupons not allowed by the Treasurer on account of stock.....	3,500 00	
37 six per cent. coupons not allowed, etc.....	1,100 00	
Interest on last two items to March 1, 1871....	1,290 00	
73 revenue bonds past due.....	73,000 00	
Interest on 37 revenue bonds past due at 9 per cent. from June, 1864, to March 1, 1871....	22,477 50	
Interest on 36 revenue bonds past due at 9 per cent. from June 1, 1866, to March 1, 1871...	15,390 00	
Interest on 580 six per cent. bonds from July, 1866, to January 1, 1871.....	156,600 00	
Interest on same to March 1, 1871.....	20,358 00	
Interest on 311 seven per cent. bonds from July 1, 1866, to January 1, 1871.....	97,965 00	
Interest on same to March 1, 1871.....	12,735 45	
		<hr/>
		\$679,074 35

Total amount to be paid by the State to Eads
in cash and bonds..... \$1,570,074 35

On the other hand estimating the stock at par we have
10,863 shares bank stock.....\$1,086,300 00
Dividend received by Eads and not accounted for to State 462,265 65
Interest thereon from time of payment each dividend to
March 1, 1871..... 64,419 53

Total amount to be paid by Eads to the State.....\$1,612,985 18
Deduct therefrom amount above stated to be paid to Eads 1,570,074 35

The balance in favor of the State holding bank stock is \$42,910 83

That the House may draw its own conclusions, the committee submit the following calculations of the stock at different values, rating the State bonds always at par, or the amount the State would have, to pay to redeem them:

The bank stock at 95 cents per share, including the dividends and interest thereon, as above stated, amounts to..... \$1,558,670 18
Amount bonds and cash to be paid Eads by the State above stated, including interest, etc., is.....\$1,570,074 35
Deduct stock, etc..... 1,558,670 18

Leave balance in favor of the State bonds \$11,404 17

Amount bonds, cash, etc., to be paid Eads by the State as above stated.....\$1,570,074 35
Bank stock at 90 cents per share, including dividends, etc. 1,504,358 18

Leave balance in favor of the State bonds..... \$65,719 17

Amount bonds, cash, etc., to be paid Eads by the State as above stated.....\$1,570,074 35
Bank stock at 85 cents per share, including dividend, etc. 1,450,030 18

Leaves balance in favor State bonds..... \$120,044 17

Amount bonds, cash, etc., to be paid Eads by State as above stated.....\$1,570,074 35
Bank stock at 80 cents per share, including dividends, etc. 1,331,410 18

Leaves balance in favor State bonds..... \$238,664 17

Amount bonds, cash, etc., to be paid Eads by State as above stated.....\$1,570,074 35
Bank stock at 75 cents per share, including dividends, etc. 1,331,410 18

Leave balance in favor of State bonds..... \$238,664 17

These figures are given merely to show the difference involved at the several rates of discount on the bank stock and the State bonds at par, and do not include the \$104,410 77 dividends already received by the State from the bank.

The figures below show the difference between the values at the present current market rates, the bank stock at 80 cents per share, and the State bonds at 92 cents for sixes and par for sevens to wit:

580 6 per cent. bonds at 92 cents.....	\$533,600 00
311 7 per cent. bonds at par.....	311,000 00
Cash to be paid Eads by the State above stated.....	679,074 35

Total value of bonds, etc., to be paid to Eads by the State.....\$1,523,674 35

On the other hand we have	
10,863 shares of stock in the bank at 80 cents per share.....	\$869,040 00
Dividends due from Eads.....	462,265 65
Interest on same.....	64,419 53
. Total value bank stock.....	\$1,395,725 18
Add dividends received by State.....	104,410 77
	<u>\$1,500,135 95</u>

Difference in favor of the State bonds is.. \$23,538 40

This includes all dividends paid and unpaid, and shows the present market value of stock and bonds, every thing included. It is respectfully submitted that the tendency of this stock will be downward rather than upward if the sale be not ratified. Of necessity the State will sell, and such large quantities of the stock in the market will decrease its value. In the depreciation the State will suffer in common with the other stockholders. State bonds are not so low now as to justify bids, much above the actual market value of the stock, as little could be gained on discounts on the bonds, and the stock no longer having a value as a controlling interest in the bank must depreciate.

We have endeavored to show by figures that it is the interest of the State to ratify. The figures below will show the settlement to be made if the State decides to hold her bank stock:

The State must pay Eads 580 6 per cent. bonds.....	\$580,000 00
311 7 per cent. bonds.....	311,000 00
Cash coupons, interest, etc., as above stated. \$679,074 35	
Less dividends received by Eads (with interest).....	526,685 18
	<u>\$152,389 17</u>

Total to be paid Eads by the State..... \$1,043,389 17

The State will receive 10,863 shares bank stock.....	\$1,086,300 00
Dividends paid to State by bank.....	104,410 77
	<u>\$1,190,710 77</u>
Deduct amount above stated received by Eads.....	1,043,389 17

Amount in favor of the State keeping bank stock..... \$147,321 60

This includes amount of dividends already collected and does not show the actual gain to the State, as she already has that in posses-

sion, and the question as to that is whether she will keep it or not or refund to Mr. Eads. If, however, we deduct the difference between the stock at par and at 90 cents per share or.....	\$108,630 00
The amount in favor of the stock being held by the State, including dividends already received, is only	38,691 60
The difference between par and 80 cents for the bank stock, or \$20 per share, is	217,260 00
Deduct from the above balance in favor of the bank stock, to wit	147,321 60
The amount in favor of the bonds being held by the State	\$69,938 40

The sale being confirmed, or a re-sale determined by the General Assembly, the State will have to refund to Mr. Eads the dividend of \$104,410 77, already received by the State from the bank; this we recommend be returned to the banks for proper disposition to Mr. Eads and his assigns.

Your committee further find from the evidence in the case, that at the time the sale was consummated, Mr. Eads paid to the treasurer of the State certain coupons which were not due, on account of which the treasurer refused to give him credit therefor, and that there was due interest on some revenue bonds from their maturity to the day of payment, which the treasurer also refused to allow.

The whole amount thereof is.....	\$13,327 16
Interest thereon at 6 $\frac{1}{2}$ cent. from payment to March 1871	3,794 28

Total amount of principal and interest..... \$17,121 44

The State in justice to Mr. Eads should pay him this amount. The rules of the stock exchange in New York, and able opinion by Messrs. Glover and Shepley, on the law governing in such cases, show this conclusively, and the committee recommend that this amount also be refunded to Mr. Eads. Your committee are confirmed in this opinion for the reason that the bonds were past due on account of the action of the State in not providing them the money for the payment thereof. Afterward provisions were made by the State to pay interest on all past due bonds, consolidating the principal and interest, and issuing bonds therefor. The State had the custody of these bonds, hence Mr. Eads could not take advantage of that act. Were this not so, the established rules of law, as between individuals, require the payment of interest on past due obligations, otherwise a debtor, by refusing to pay when the debt was due, could have the use of the creditor's money, without interest; probably a paying proposition to the debtor, but not so much so to the creditor; and as the State had not provided for the payment of this interest, and the bonds when due, we think she is not entitled to exemption from the rule. Your committee submit these views with diffidence, as the question is a delicate one, and the true interests of the State in this settlement depends in a great degree upon the depreciation or appreciation of the bank stock. There is no question that the stock at par would be more desirable than the bonds, for the interest accrued and dividends exceed the bonds and interest; but the stock at 90 cents, 85, 80 or less, held by the State and sold as required, would create quite a loss to the State treasury. It may be that the stock will appreciate if this sale is ratified; the suspense and uncertainty will be relieved, and the market will be better for the stock, and the buyers have more faith in it; if not the market will be unsettled, and all dealers would

naturally wait for the sale of the State's stock, this and other agencies herein referred to will undoubtedly depreciate it still more.

The interests of the State are never watched as closely nor as carefully as individuals' interests are, and in a measure are at the mercy of those who deal with her. All our past history connected with corporations proves this, and when the State owned this stock in the old bank the dividends did not exceed $3\frac{1}{2}$ per cent. semi-annually.

With these views and for these considerations, your committee respectfully report the accompanying bill and recommend its passage.

GEO. H. SHIELDS, *Chairman.*

JOHN F. WIELANDY,

ZACH. J. MITCHELL,

ALLEN P. RICHARDSON,

W. F. CLOUD,

W. A. MORTELL.

Mr. Shields, from the committee to whom was referred the Governor's message in relation to the claim of James B. Eads introduced a bill entitled

An act appointing the State auditor as agent of the State to sell the stock owned by the State of Missouri, in his own right and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri (now the National Bank of the State of Missouri) to James B. Eads, on the terms of his original contract with the State therefor with the State, and to authorize the said Auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the State auditor to draw warrants in favor of the National Bank of the State of Missouri, and of James B. Eads, for certain monies due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants;

Which was read, and on motion,

One hundred and fifty copies ordered printed in pamphlet form.

Mr. Morton, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that

An act entitled an act to regulate and provide for the inspection of tobacco,

Has this day been presented to the Governor for his signature,

Mr. Gates moved to suspend the rules in order to call up

Senate bill No. 178,

Which was agreed to.

Senate bill No. 178, entitled

An act supplementary to an act entitled an act establishing the office of marshal of Jackson county, and defining his duties, approved February 1st, 1871,

Was taken up, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Ballard, Barnes, Barrett, Bell, Bittinger, Bohn, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe,

Buckham Bulkley, Buller, Bunch, Burrows, Burton, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Moore of Livingston, Moore of Stone, Murray, Myers, Neal, Norris, O'Bannon of Pettis, Pauley, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—102.

Absent—Messrs. Abbee, Auer, Beltrami, Bennett, Butler, Claiborne, Dolman, George, Hickman, Koch, Leach, McAllister, Mitchell, Mortell, Murphy, Newman, Pope, Schooley and Stone—19.

Absent with leave—Messrs. Bass, Borg, Bosbyshell, Dent, Haas, Kitchen, Marshall, McPike, Ming, Mullings, Randall and Wielandy—12.

Sick—Messrs. Gratiot, Hackman, Hammett, and O'Bannon of Dallas—4.

Mr. Martin, of St. Louis, moved to reconsider the vote by which the bill passed.

Mr. Martin, of St. Louis, moved to lay that motion on the table;
Which was agreed to.

The following message was received from the Senate by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bill No. 366, entitled

An act to abolish the Brunswick court of common pleas, and to establish a court of common pleas at Brunswick, in its stead, with criminal jurisdiction;

Which was read.

The following message was received from the Governor by his private secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,
City of Jefferson, March 2, 1871.

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bills from the House:

An act to repeal an act entitled an act defining the powers of the county courts of the counties of Jasper and Barton, approved March 12, 1859, so far as the same relates to Jasper county;

And act to provide for appeals and writs of error in civil cases and concerning practice in the Supreme Court, and repealing chapter one hundred and thirty-five, of the General Statutes, and an act entitled an act to amend section nine, of chapter one hundred and seventy-two, of title thirty-four, of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868;

An act supplemental to an act entitled an act to establish the twenty fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor ;

Respectfully,

B. GRATZ BROWN.

Which was read.

Substitute for House bills Nos. 182 and 274, entitled

An act to provide for a bureau of geology and mines to complete the geological survey of the State of Missouri ;

Which was read.

Mr. Shafer offered the following amendment :

Amend after the word "laborers," in the fifth line, as follows "not to exceed two ;"

Which was read and not agreed to.

Mr. Shafer offered the following amendment :

Amend by striking out all after the word "necessary" in the fourth line ;

Which was read and not agreed to.

Mr. McMillan offered the following amendment :

Amend by striking out section nine ;

Which was read and agreed to.

Mr. Neal offered the following amendment :

Amend section eleven, line three, by striking out "three," and insert "two," also line four, by striking out "two" and insert "one,"

Which was read.

The ayes and nays being demanded, the amendment was agreed to by the following vote :

AYES—Messrs. Adams of Butler, Alsup, Applegate, Asher, Barrett, Beltrami, Bittinger, Bohn, Bosbyshell, Brown of Howard, Buckham, Burton, Ohilton, Clark, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dod, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, Goodson, Gray, Hickman, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Maupin, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Newman, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon and Williams of Morgan—76.

NOES—Messrs. Abbee, Abington, Adams of Gentry, Auer, Ballard, Bell, Bennett, Brown of Monroe, Bunch, Burrows, Cloud, Dean, Eubanks, George, Girdner, Harmon, Hooper, Marlin, Marshall, Martin of Caldwell, Mabrey, McAllister, Miller, Ming, Neal, Norris, O'Bannon of Pettis, Shafer, Sharp, Steele, Wilkes, Williams of Audrain and Worden—33.

Absent—Messrs. Barnes, Bradshaw, Bulkley, Buller, Kitchen, Koch, Martin of St. Louis, Murphy, Murray, Scoville, Shields and Mr. Speaker—12.

Absent with leave—Messrs. Bass, Breazeale, Butler, Dent, Haas, Hardin, McPike, Randall, Stone and Wielandy—10.

Sick—Messrs. Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

Mr. Edwards offered the following amendment:

Amend section eleven by adding: "provided, that not more than \$2 50 per day shall be paid to any one employed by said geologist or his assistant;

Which was read and not agreed to.

Mr. Bell offered the following substitute:

Substitute for section twelve:

All accounts for salaries and expenses shall be made under oath, and filed with the Auditor of the State, and the pay of the State Geologist and his assistants shall be paid out of the amount hereby appropriated in section thirteen;

Which was read and not agreed to.

Mr. Neal offered the following amendment:

Amend section twelve by adding after the word "until," first line, the words "and certified by the board;"

Which was read and agreed to.

Mr. Wilkes offered the following amendment to section eleven:

Amend by adding after the words "per mile," "the distance to be estimated by the most practicable route by railroad;

Which was read and not agreed to.

Mr. Mullings offered the following amendment to section eleven:

Strike out all after the word "managers," in line one, to the word "three," in line two, and insert in lieu thereof, "they shall each receive not exceeding three dollars per day, and six cents per mile necessarily traveled in attending to the duties assigned them by this act;

Which was read and not agreed to.

Mr. Williams of Morgan, offered the following amendment to section eleven:

Amend by striking out "three," and insert "four;"

Which was read and not agreed to.

Mr. Bell offered the following amendment:

Amend section thirteen by striking out in the first line the word "five," and insert "seven," and strike out in line two the words "the incidental," and insert "all;"

Which was read and not agreed to.

Mr. Wilkes offered the following amendment:

Amend by striking out the thirteenth section of the bill;

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Section 16. The entire expenses of carrying out the provisions of this act shall not exceed in any year the sum of fifteen thousand dollars;

Which was read and agreed to.

Mr. Knott offered the following amendment to the amendment:

Amend the amendment by striking out fifteen thousand dollars, and inserting ten thousand dollars;

Which was read and agreed to.

Mr. McMillen offered the following amendment:

Amend by adding the following section:

The State Geologist and his assistant, before entering upon the discharge of their duties, shall each take an oath before some officer of this State, qualified to administer oaths, that they will honestly, faithfully and fairly perform all the duties required of them by this act to the best of their abilities, and that they will not permit any person to have access to any of their books or papers, or communicate their contents to any person or persons, and that they will not disclose or

make public any mine or valuable deposit other than in their official reports, except to the owner or owners of the land surveyed, and that they will abstain from all speculations in their own behalf, or in the behalf of others during the progress of such survey and in relation thereto;

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Burton, Chilton, Clark, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, Goodson, Gray, Hardin, Harmon, Hutt, Knott, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, Mitchell, Moore of Livingston, Mortell, Myers, Newman, O'Bannon of Pettis, Pauley, Pope, Ray, Richardson, Robinson, Sanford, Shields, Sides, Smith, Sorrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, White of Texas, Wight of Vernon, Worden and Mr. Speaker—73.

NOES—Messrs. Abington, Alsup, Asher, Bradshaw, Breazeale, Bunch, Cloud, Dod, Dolle, Fassen, George, Girdner, Hickman, Hooper, Howell, Hubbell, Koch, Lamson, Langston, Marlin, Martin of Caldwell, McAllister, Miller, Moore of Stone, Mullings, Neal, Norris, Raney, Rolston, Schooley, Shafer, Sharp, Steele, Wilkes and Williams of Morgan—36.

Absent—Messrs. Abbee, Barnes, Beltrami, Dolman, Kost, Murphy, Murray, Samuel, Shewalter, Sloan, Stancil, Turner and Williams of Audrain—13.

Absent with leave—Messrs. Bass, Butler, Dent, Haas, Kitchen, McPike, Ming, Randall and Wielandy—9.

Sick—Messrs. Borg, Claiborne, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

Mr. Colcord moved to reconsider the vote by which the bill passed, and lay his motion to reconsider on the table;

Which was agreed to.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report, that there has been presented to the Governor for his signature

An act entitled an act establishing the office of marshal of Jackson county, and defining his duties.

On motion of Mr. George,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, MARCH, 3, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Leach,
The further reading was dispensed with.

Mr. Mullings asked leave to state, that if he had been present on March 1st, 1871, he should have voted against the bill for calling a Constitutional Convention.

Mr. Brown of Howard, presented a memorial from citizens of Howard county, endorsing the provisions of House bill No. 157, and requesting its passage;

Which was read, and on motion,
Referred to Committee on Insurance.

Mr. Shields presented a memorial from citizens of Marion county, endorsing House bill No. 157, and urging its passage;

Which was read, and on motion,
Referred to Committee on Insurance.

Mr. Davis presented a memorial from citizens of Daviess county, endorsing the provisions of House bill No. 157, and urging its passage;

Which was read, and on motion,
Referred to Committee on Insurance.

Mr. Burrows introduced the following resolution:

Resolved, That the Chief Clerk is hereby authorized to detail any committee clerks not otherwise employed, to aid and assist the Engrossing Clerk;

Which was read and adopted.

Mr. Mullings presented a petition from citizens of Greene county, praying to be relieved from an onerous railroad tax;

Which was read, and, on motion,
Referred to Committee on Internal Improvements.

Mr. Stone introduced a bill entitled

An act to amend chapter one hundred and sixty-four of the General Statutes of Missouri, "of the manner of commencing suits and the service of notices;"

Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Stone introduced a bill entitled

An act in relation to the offices of councilmen of the First and Twelfth Wards of the city of St. Louis ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Mr. Sloan introduced a bill entitled

An act to separate the county of Worth from the seventeenth judicial circuit, and to attach the same to the twelfth judicial circuit of this State, and to fix the times for holding circuit courts of said county ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Von Kochtitzky introduced a bill entitled

An act to provide for the payment of the Adjutant General and his clerk ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Mr. Knott, of the Joint Committee on Revenue, submitted the following report:

MR. SPEAKER: The Joint Committee on Revenue have had under consideration the revenue laws of the State, and herewith submit a bill embodying a revision of the same ;

Which was read.

An act concerning the assessment and collection of the revenue ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Made the special order for Tuesday, the 7th day of March, at 11 o'clock, A. M.

Mr. Pope introduced a bill entitled

An act to authorize the re-assessment and collection of the cost of constructing and repairing the sidewalks and carriage ways of certain streets, and of grading, paving and repairing certain alleys out of, abating nuisances, and filling and draining ponds and low grounds on private property in the city of St. Louis ;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the St. Louis Delegation.

Mr. Wight of Vernon introduced a bill entitled

An act authorizing the payment of three millions of bonds issued by the State to aid in the construction of the Hannibal and St. Joseph railroad, and to secure the construction of additional railroads ;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Pope moved to reconsider the vote by which the bill was read the second time and referred ;

Which was agreed to.

Mr. Leeper moved to reject the bill.

Mr. Mullings demanded the previous question ;

Which was seconded and the main question ordered, being upon the motion to reject the bill ;

Which was not agreed to by the following vote, Mr. Claiborne having demanded the ayes and noes :

AYES—Messrs. Abington, Adams of Butler, 'Applegate, Ballard, Barnes, Barrett, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Butler, Claiborne, Crockett, Dean, Dod, Dolle, George, Girdner, Gray, Haas, Howell, Knott, Koch, Kost, Langston, Latshaw, Leeper, Marlin, Martin of Caldwell, Miller, Moore of Stone, Mullings, Murphy, Norris, O'Bannon of Pettis, Pope, Rolston, Samuel, Sanford, Shields, Sloan, Turner, Walker, Wilkes and Williams of Morgan—47.

NOES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Monroe, Buller, Burton, Chilton, Clark, Cloud, Coleman, Collier, Davis, Dent, Doak, Dolman, Edens, Edwards, Fassen, Frost, Gates, Goodson, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Lamson, Leach, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Mitchell, Moore of Livingston, Mortell, Murray, Myers, Neal, Pauley, Raney, Ray, Richardson, Robinson, Schooley, Scoville, Shafer, Shewalter, Sides, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon and Williams of Audrain—72.

Absent—Messrs. Alsup, Colcord, Eubanks, Sharp, Worden and Mr. Speaker—6.

Absent with leave—Messrs. Bass, Kitchen, McPike, Ming, Newman, Randall and Wielandy—7.

Sick—Messrs. Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—5.

The morning hour having expired, the House resumed the consideration of

House bill No. 9, entitled

An act regulating the indebtedness of counties, cities, incorporated towns and municipal townships, and to provide for the payment of the same.

Mr. Brown offered the following amendment:

Amend section two by striking out all after the word "apportionment" and insert the following: "Shall be made first to cities, second to towns, third to townships within any county, and last to the county, and shall be the tax resulting from the increased valuation of property in each in the order herein named as contemplated in this act;"

Which was read and agreed to.

Mr. Brown offered the following amendment:

Amend section three by inserting after the words "the construction" of the road ;

Which was read and agreed to.

Mr. Brown offered the following amendment:

Amend section six, line four, by adding after the word "townships" the following: "and the proceeds of such tax, and of all other taxes

levied and collected, or made applicable by law for the payment of the principal and interest either or both of the bonds registered as herein provided, shall be paid into the treasury of the State;”

Which was read and agreed to.

Mr. Brown offered the following amendment:

Amend section seven, line six, after the word “satisfied” the words “and any surplus of the funds collected for the payment of interest remaining in the treasury after the payment of the interest on the bonds, and any other funds applicable to the payment of the principal of said registered bonds shall be applied to the payment of the principal of said bonds on presentation at the State Treasury, or the Treasurer shall purchase the same if not then due in open market at the lowest market price at not more than par, and upon such payment or purchase of the said bonds the amount paid on the principal of said bonds shall be indorsed thereon, and receipts therefor shall be taken and filed in the office of the State Treasurer;”

Which was read and agreed to.

Mr. Brown offered the following amendment:

Amend section twelve by adding after the word “recovered” “by civil action;”

Which was read and agreed to.

Mr. Brown offered the following amendment:

Amend by adding a new section, to be numbered section 13, and to read as follows: “The State Treasurer shall execute and deliver to the Governor a bond to the State of Missouri in the sum of one hundred and fifty thousand dollars, with not less than six securities, to be approved by the Governor, conditioned for the faithful performance of all the duties required or which may be required of him by the provisions of this act;”

Which was read and agreed to.

Mr. Neal offered the following amendment:

Amend section one, line six, by inserting after the word “indebtedness” the words “and the one-quarter set apart for the school fund out of the State revenue;”

Which was read.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House substitute for House bills Nos. 71, 133 and 268, entitled

An act to provide for a uniform registration of voters, and repealing all former acts relating thereto,

And passed the same with the accompanying amendments, in which the concurrence of the House is respectfully requested.

On motion of Mr. Mullings,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Brown of Howard moved to postpone further consideration of House bill No. 9

Until 11 o'clock, A. M., on Monday, the 6th of March, 1871;

Which was agreed to.

Mr. Knott called up substitute for

House bills Nos. 77, 33 and 268,

With Senate amendments.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 366, entitled

An act to abolish the Brunswick court of common pleas and to establish a court of common pleas at Brunswick in its stead with criminal jurisdiction.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval,

House bill No. 366, entitled

An act to abolish the Brunswick court of common pleas and to establish a court of common pleas at Brunswick in its stead, with criminal jurisdiction;

Which was read.

Substitute for House bills Nos. 71, 133 and 268, entitled

An act to provide for a uniform registration of voters, and repealing all former acts relating thereto,

Was taken up with

The following amendment thereto from the Senate:

Insert after the word "swear" in the third line of the second section, the words "or affirm;"

Which was read and agreed to.

Insert in the eighth line, section four, printed bill, between the words "nine" and "shall," "and shall state where he was naturalized;"

Which was read and agreed to.

Strike out all after the word "district" in line ten, section four, to the word "district" inclusive, in line twelve, and insert, "he may appear before the registering officer and take said oath," then strike out all after the word "books" in line fourteen, to end of section;

Which was read and disagreed to.

Amend section four by adding thereto:

Provided, Any person registered according to the provisions of this act, when he offers to vote may be challenged or disqualified by

any person who is an elector of this State, and it shall be the duty of the judges of election to try and determine in a summary manner, before the close of the polls, the qualifications of any person challenged as aforesaid, and upon proof that the person so challenged is not a qualified voter, the judges of election shall reject his vote, and they shall state opposite the name of the person on the registered list of voters, whose vote is rejected, the nature of his disqualification and the names of the witnesses upon whose testimony his vote was rejected, but the vote of no person who may be challenged shall be rejected except upon the testimony of two credible witnesses; *and provided further*, that the party challenging the right of any person to vote, shall swear before the judges of election at the time of so challenging the vote, that to the best of his knowledge and belief, the party, naming him, is not a qualified voter under the law of this State, and shall also swear to the reasons which disqualify him from voting; *and provided further*, that the ballot of such person so rejected shall be preserved and returned with the books and other ballots in a separate envelope, marked "rejected ballots," and the clerk of the courts shall preserve the same in his office;

Which was read and disagreed to.

Amend section six by inserting in line two after the word "five," the words "in each election district," and after the word "three" in line five, the words "in each election district;"

Which was read and agreed to.

Amend section six, line ten, by striking out "five" and inserting "ten."

Which was read and agreed to.

Amend by striking out the word "have," and insert the word "having," in line seven of section six;

Which was read and agreed to.

Amend section eight by striking out the word "select," in lines one and four, and insert in lieu thereof the word "appoint;"

Which was read and agreed to.

Amend section eight by striking out the word "each," and insert the word "every," wherever it occurs in line three of printed bill;

Which was read and agreed to.

Amend section eight, line five, by striking out the word "selected" and insert "appointed;"

Which was read and agreed to.

Amend by adding to section eight, line one, after the word "persons," "who are qualified voters of the voting precinct for which they are appointed;"

Which was read and agreed to.

Amend section eleven by inserting in the second line of printed bill, after the words "the street and number of," the words "the residence of;"

Which was read and agreed to.

Amend section twelve by adding after the word "day," in line two of printed bill, the following: "except for St. Louis county, who shall receive five dollars per day;"

Which was read and agreed to.

Amend section eighteen by inserting in lieu thereof the following:

SEC. 18. If the right of any person to register as a qualified voter be challenged, or if the register doubts the qualifications of any person applying for registration, such person shall file with the registrars his sworn, written statement as to his qualifications as a voter as pre-

scribed by the provisions of the first sections of this act, which statement shall be conclusive of the facts therein contained, and shall be returned by the registrar, with his books, to the county clerk of the county, and filed and preserved by him;

Which was read and agreed to

Amend section twenty-four by striking out all after the word "registrar" in line two of printed bill, and between said word and the word "and" in line three of said section;

Which was read and agreed to.

Amend the title of the bill as follows :

An act to provide for a uniform registration of voters, the appointment of judges of elections and repealing all former acts relating thereto;

Which was read and agreed to.

On motion of Mr. Bosbyshell,

House concurrent resolution No. 35, entitled

Concurrent resolution asking Congress to make an appropriation for the improvement of the Mississippi river,

Was taken up, and read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Beltrami, Bennett, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Miller, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shields, Sides, Sloan, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Worden—105.

NOES—Mr. Breazeale—1.

Not voting—Mr. Speaker—1.

Absent—Messrs. Ballard, Bell, Bohn, Doak, Edens, Fassen, Hickman, Howell, Koch, McMillan, Mitchell, Murray, Pope, Randall, Sharp, Smith, Turner and White of Texas—18.

Absent with leave—Messrs. Bass, McPike, Ming, Ray, and Wielandy—5.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett, O'Bannan of Dallas and Sharp—7.

The title of the resolution was then read and agreed to.

Mr. Knott moved to reconsider the vote by which the resolution passed.

Mr. Knott moved to lay his motion to reconsider on the table;
Which was agreed to.

Leave of absence was granted to Messrs. Robinson and Fassen for two days;

Mr. Lamson for one week;
Mr. Von Kochtitzky for one day;
Mr. Murphy for one day;
Mr. Wilkes for two days;
Mr. Doak for two days;
Mr. Pope for one day;
Mr. McMillan for one day.

Mr. Goodson introduced a bill entitled
An act to provide for the election of county court justices in Ma-
con county;
Which was read the first time, the rules suspended, read the sec-
ond time.

Mr. Samuel moved to adjourn until 10 o'clock, A. M. to-morrow.
Mr. Claiborne moved to amend by adjourning until two o'clock
to-morrow.

The amendment was not agreed to.

Mr. Mullings moved that when the House adjourn it do so until
Monday morning at 10 o'clock, A. M.

Mr. Mullings' motion was decided out of order by the Speaker
pro tem.

Mr. Mullings appealed from the decision of the chair.
The appeal was put and the decision sustained.

Mr. Samuel's motion to adjourn was agreed to, and
The House adjourned until to-morrow morning at 10 o'clock.

SATURDAY, MARCH 4, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,

On motion of Mr. Burrows,

The further reading of the journal was dispensed with.

Mr. Marlin presented a memorial from the citizens of Webster county endorsing House bill No. 157, and urging its passage;

Which was read, and, on motion,

Referred to the special committee on insurance.

House bill No. 449, entitled

An act authorizing the payment of three millions of bonds issued by the State to aid in the construction of the Hannibal and St. Joseph railroad, and to secure the construction of additional railroads,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Mr. Hardin presented a memorial from the citizens of Pike county, endorsing House bill No. 157, and urging its passage;

Which was read, and on motion,

Referred to special committee on insurance.

Mr. Smith introduced a bill entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Gates introduced a bill entitled

An act to amend sections two, four, five, sixteen and eighteen of chapter two hundred and twenty-one of the General Statutes of Missouri, and sections two, four, five, sixteen and eighteen, chapter one hundred and seven, Wagner's Statutes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Penitentiary.

Mr. Hardin introduced a bill entitled

An act to amend an act entitled an act to amend an act entitled an act to amend and reduce into one the several acts incorporating the town of Louisiana, and to organize the same into a city, approved March 14, 1849, and the several acts amendatory thereof;

Which was read the first time, the rules suspended, read the second time, and, on motion,

It was laid over informally.

Mr. Mullings introduced a bill entitled

An act for the preservation of fish in the James Fork of White river;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to select committee of members from counties where James Fork of White river runs.

Mr. Mullings presented a memorial from the citizens of Greene county indorsing House bill 455, and urging its passage;

Which was read, and

Referred to a select committee of members from counties where James Fork of White river runs.

Mr. Edwards introduced a bill entitled
An act to facilitate the labors of the Supreme Court by the appointment of additional officers thereof;
Which was read the first time, rules suspended, read the second time, and, on motion,
Referred to the Committee on Judiciary.

Mr. Richardson introduced a bill entitled
An act to amend section three of article nine of chapter two of Wagner's Statutes of Missouri in relation to public administrators;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Schooley introduced a bill entitled
An act to amend sections thirty-two, thirty-three and thirty-four of chapter one hundred and twenty-two of the General Statutes of Missouri, relating to sales of real estate by executors and administrators, the same being sections thirty-two, thirty-three and thirty-four of article three, chapter two of Wagner's Statutes;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Mr. Colcord introduced a bill entitled
An act to amend section seventeen of chapter two hundred and twelve of the General Statutes of Missouri;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Criminal Jurisprudence.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred

House bill No. 413,
Have had the same under consideration, and have instructed me to report it back with the recommendation that it be referred to the Committee on Criminal Jurisprudence;
Which was read, and, on motion,
House bill No. 413 was
Referred to Committee on Criminal Jurisprudence.

Mr. Wight of Vernon introduced a concurrent resolution entitled
Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof concerning county boundaries and the establishment of new counties;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Constitutional Amendments.

Mr. Clark introduced a bill entitled
An act to enable townships divided by county lines to consolidate for school purposes;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Township Organizations.

Mr. Latshaw introduced a bill entitled

An act attaching certain territory to the town of Westport to enable said town to take stock in a railroad;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Moore of Livingston, from the special committee appointed to investigate the sale of the State bank stock to James B. Eads, submitted the following minority report from said committee:

To the Honorable Speaker of the House of Representatives of the 26th General Assembly of the State of Missouri:

The undersigned members of your special committee, to whom was referred the special message of his Excellency the Governor of this State concerning the matter of the sale of the stock owned by the State in the Bank of the State of Missouri, would respectfully represent that they have carefully examined into the facts pertaining to the same, and find them to be as follows:

That the commissioner, appointed by the Governor under and by the provisions of an act of the General Assembly of the State of Missouri, approved March 5, 1866, to authorize the Bank of the State of Missouri to reorganize as a National bank, and to provide for the sale of the stock owned by this State in said bank, failed to perform his duties under said act in a legal manner, and that the Supreme Court of this State has declared that the sale made by said agent, Josiah Fogg, to James B. Eads, was null and void, and that the State therefore is at present the owner of 10,863 shares in the National Bank of the State of Missouri. The commissioner appointed by the provisions of the aforesaid act proceeded by virtue of the authority given him to advertise that he would, until the 4th day of June, 1866, receive sealed proposals for the purchase of the aforesaid stock or any part thereof, to be paid for by the purchaser in money or the bonds of the State then due or to become due thereafter, or the coupons of any such bonds. There was at that time a bid made by Mr. Eads of \$106 per share for the stock, and after that the Bank of the State of Missouri made to the Governor an offer to purchase the stock at \$108 33 per share, and on the 12th day of June Mr. Eads offered \$108 50 per share, which bid was accepted by the Governor on the 13th day of June.

We also learned that on the 14th day of June the Governor informed the agent of the Bank of the State that he could have until 12 o'clock, m., of the next day to make an offer for said stock; and that before the expiration of that time he made the offer first of \$130 per share, and afterwards of \$145 per share.

But the Governor, having, on the 13th day of June, approved the bid of Mr. Eads at \$108 50 per share, he, on the 18th of June, paid to the treasurer a portion of the purchase price, in bonds of the State, and on the 14th day of July completed the payment of the same, having paid to the Treasurer the following bonds and coupons of the State, viz:

Amount of 10,863 shares at \$108 50 per share.....	\$1,178,635 50
580 Six per cent. bonds not yet due, and for which duplicates could be issued.....	580,000 00
311 Seven per cent. bonds not yet due, and for which duplicates could be issued.....	311,000 00
73 Revenue bonds, over due, as follows:	
37 due June 1, 1864.....	37,000 00
36 due June 1, 1866.....	36,000 00
Coupons due when paid in.....	214,655 00

Amount acknowledged by treasurer's receipt.... \$1,178,655 00

On the 30th day of June, 1866, sixteen days after the acceptance by the Governor of the bid of Mr. Eads, the bank declared a dividend amounting to \$104,410 77 on the 10,863 shares sold Mr. Eads. This amount was claimed by the State, and was by the Supreme Court adjudged to belong to her, and this amount has been paid by the bank to the State.

The sale to Mr. Eads being null and void, the 10,863 shares formerly in the State Bank of Missouri, now in the National Bank of the State of Missouri, are the property of the State, together with the dividends thereon since June 12, 1866, amounting to...	\$566,676 42
Interest on same to March 1, 1871.....	93,654 54

Total..... \$660,330 96

The State holds the property of Eads as follows:

580 six per cent. bonds.....	\$580,000 00
311 seven per cent. bonds.....	311,000 00
Nine per cent. revenue bonds, past due when paid in...	73,000 00
Coupons, past due when paid in.....	214,655 00
	\$1,178,655 00

And interest thereon as follows:

580 six per cent. bonds, interest to January 1, 1871....	\$176,958 00
311 seven per cent. bonds, interest to January 1, 1871..	110,700 45
\$287,655 past due revenue bonds and coupons.	77,666 85

Total interest..... \$365,325 30

Amount principal and interest.....	\$1,543,980 30
Amounts paid but not credited by treasurer.....	11,277 78
Interest on same to March 1, 1871.....	3,157 74

Total amount due Eads..... \$1,558,415 82

The State, after returning the \$891,000 00 in bonds now in her possession, would still owe Mr. Eads \$667,415 82, while Mr. Eads or the bank would owe the State.....	\$660,330 96
Of which has been paid.....	104,410 77

Leaving still due the State.....	\$555,920 19
Making a balance due Eads of.....	111,495 63

There were two ways considered by the committee for the adjustment of this matter:

First. That as it is not in the power of the State, under the provisions of the Constitution, to legalize, except as against herself, the invalid acts of any officer, and a large portion of this fund not belonging to the State, but only held by her in trust for the School and Seminary Funds, there would have to be a new sale of said stock authorized by the General Assembly. And to protect Mr. Eads, it would be necessary to exclude all other bidders, and to sell it to him at the price of \$108 50 per share, and to receive in payment therefor the receipt of the Treasurer now held by Mr. Eads for \$1,178,655 00 and to pay to him the dividend of \$104,410 77, and interest thereon for 4 8-12 years, and also the sum of \$13,327 16, not allowed by the treasurer, and the interest on the same for 4 8-12 years.

Secondly. For the State to return to Mr. Eads the 580 six per cent. bonds, and the 311 seven per cent bonds, in the aggregate bonds to the amount of \$891,000, and pay to him the sum of \$111,495 63, the difference between the interest on the bonds and coupons paid by Eads, and the amount of bank dividends and interest thereon received by Eads or his assigns after deducting the \$104,410 77, heretofore received by the State. This calculation is made by computing interest on the bonds to January 1, 1871, from which time the coupons attached will date, and the interest on the past due bonds and coupons paid by Eads until March 1, 1871, and the interest on the bank dividends to January 1, 1871.

The State will then pay to Eads in bonds and cash the aggregate sum of.....	\$1,002,495 63
And have in bank stock	1,086,300 00
Making in favor of the State.....	83,804 37
She will also save in the amount of cash paid out now over.....	16,000 00
The State in this manner will pay out \$891,000 in bonds bearing a yearly interest in the aggregate of.....	56,570 00
And will own instead bank stock to the amount of \$1,086,300, which for three and a half years ending January 1, 1870, produced a dividend of ten per cent., amounting, annually to.....	108,630 00
Making in favor of the State in the matter of interest, annually	52,060 00
And the same stock for the year from January 1, 1870, to January 1, 1871, when under the depressing effects of these suits against the Bank of the State, gave a dividend of seven per cent. in the aggregate	76,041 00
Making a difference in favor of the State, annually, in interest, at seven per cent. dividends.....	19,471 00

We are therefore convinced that the best interest of the State would be conducted by a return to Mr. Eads of the State bonds paid in by him; and by the assignment on the books of the National Bank of the State of the 10,863 shares of State stock therein to the State. As the law of 1867, authorizing the Bank of the State of Missouri, to reorganize under the law of the United States as a National Banking Company, provides that the State shall be entitled to appoint by her Governor, three of the nine directors, we would therefore recommend that the Governor be instructed to appoint three persons to perform these duties.

It is considered best by this General Assembly for the State to dispose of the above mentioned stock in the National Bank of the State of Missouri, we would recommend that such sale be entrusted to three persons, instead of one, and that such sale be not fully consummated before another session of the General Assembly. If the highest bid offered before for the consideration of the Governor and State agent had been accepted, the State would have been the gainer in the sum of \$396,499 50. We think it proper that such safeguards be placed around another sale, if one be thought desirable, as will protect the interest of the State. Considering the whole matter in the light above presented, and believing it not to be for the best interest of the State to sell at a fixed figure to Mr. Eads, we are unwilling to recommend the passage of the bill reported by the majority of the committee.

MOORE, of Livingston,
G. W. KITCHEN.

Mr. Murray, while not having had time to examine the calculations made by the minority, still concurs in their recommendation, and offers the following additional reasons for his conclusions :

Mr. Eads cannot, in either law or equity, rightfully claim more than his bonds and coupons paid in. He has no right whatever to the stock. It is true that up to 12 o'clock, m., of the 4th day of June, 1866, at which time, by the terms of the advertisement, the bidding was to close, his bid of 106 per share was the highest then in for the stock, the next highest being the bid of the Bank of the State of Missouri of 105½ per share. But it is also true that neither of these bids, payable in the bonds of the State, were anything near the real value of the stock to be sold. That is proved by the fact that the bidding reached as high as 145 per share immediately thereafter. The agent could not have regarded it as a fair value of the stock to be sold, or he would have so reported it to the Governor, as he was by the law under which he acted directed to do. Mr. Eads could not have relied on his bid of 106 per share, made on the 4th day of June, 1866, as being the fair value of the stock, or as giving him a legal right to claim the same, or he would not, when the bank thereafter made its bid of 108 33¼ abandoned it and made his subsequent bid of 108 50. By the act of the 5th of March, 1866, under which this sale was attempted to be made, the agent was directed, if any of the proposals should appear to be the fair value of the stock, to mention that fact in his report to the Governor, and it was provided that if such report should be approved by the Governor the sale should be made. The bid of 106 per share, we repeat, could not have been regarded as the fair value of the stock ; it was not treated as such ; it was totally ignored by all the parties to the transaction. In this matter the State, as trustee for the school fund mentioned, lost more than \$300,000 and cannot in equity and conscience be asked to do more than return to Mr. Eads his bonds and coupons, thus putting him in the condition in which he was before the attempted sale, and retain her stocks, which we think, from the evidence before us must appreciate rather than depreciate.

S. F. MURRAY.

Which was read and
150 copies ordered printed with majority report in pamphlet form.

Mr. Buckham introduced a bill, entitled

An act entitled an act to enable the clerk of the county cour

of Atchison county to advertise delinquent land lists for the year 1869;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. George presented a remonstrance from the citizens of Camden county against the division of said county for the formation of any new county;

Which was read, and on motion,

Referred to Committee on County Boundaries.

Mr. Goodson introduced a bill entitled

An act to amend an act, supplementary to an act entitled an act to incorporate Macon City, and for other purposes;

Which was read the first time, the rules suspended, read the second time and, on motion,

Referred to Committee on Local Bills.

Mr. Neil presented a petition from the citizens of Harrison county, praying for the passage of a law to restrict the sale of intoxicating liquors;

Which was read, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Mr. Samuel, from the Committee on Deaf and Dumb Asylum, submitted the following report:

MR. SPEAKER: Your Committee on the Deaf and Dumb Asylum, in the discharge of the duties imposed upon them, have visited the institution and made a thorough inspection of its condition and affairs, and beg leave to submit the following report:

Your committee find the internal management of the institution to be as perfect in order and discipline as can be desired. The most perfect harmony and good feeling exists between superintendent, matron, teachers and pupils, rendering the task of imparting instruction at once pleasant and agreeable to teachers, and profitable to the mutes, many of whom evince an extraordinary aptitude and proficiency in the various branches of instructive study taught in the institution. In the science of numbers and English composition they especially excel, readily solving difficult problems in arithmetic, and being singularly quick and accurate in communicating their thoughts to writing. An air of peace and quiet contentment pervades the whole institution, and it presents more the appearance of a well regulated private family, in which love and respect for the venerable head is the ruling actions of its members, and a fatherly regard for the spiritual and temporal welfare of the whole household, governs all the acts of the parent toward the child.

Your committee find that owing to the rapidly increasing number of pupils in the institution, the number of teachers now allowed by law to be employed, is totally inadequate to the demand. Owing to the peculiar mode of imparting instruction to this class of pupils, being confined exclusively to objects and signs addressed to the sight alone, it is found, by practical experience, that one instructor cannot successfully manage a class of more than eighteen or twenty pupils, and, indeed, it would be better to limit the number to fifteen, in order not to retard the progress of those who acquire knowledge with readi-

ness and ease by a classification with those who experience more difficulty in their progress.

Your committee therefore recommend such a modification of existing laws as will allow the commissioners power to increase the number of teachers to one for every twenty pupils in the institution.

At the last session of the General Assembly the sum of fifteen thousand dollars was appropriated for the purpose of erecting a new rear building, for kitchen, wash-room, and hospital, and for repainting and providing additional stairways for escape in case of fire in the old building. In conformity with the intention of the Legislature in making this appropriation, the commissioners during the summer and fall of the past year, caused to be erected in the rear of the main edifice, a substantial brick building, of the best material, with stone foundation, three-stories in height, forty by sixty-five feet, with a transverse wing twenty-seven by sixty-five feet, which is now under roof, and work still being prosecuted upon it, but which will require an additional appropriation of five thousand dollars to complete and furnish it, which your committee recommend to be made.

Works for lighting the institution throughout by gas, thus lessening the danger of fire incurred by the present system of lighting with coal oil lamps, at all times liable to explosion, or to be overturned, from either of which casualties the most serious consequences are to be apprehended, are now in course of construction upon the premises, and will soon be in successful operation. And as a further security against accident by fire, your committee would recommend the erection of apparatus to heat the buildings by steam. The institution is now heated in an imperfect and insecure manner by a large number of stoves, located in different parts of the structure, all of which are more or less liable to communicate fire to the wood-work, and thus endanger the safety of the edifice and the lives of its inmates. An appropriation of seven thousand dollars is recommended for this purpose.

The fencing around the asylum grounds is out of repair; the posts are rotting off, and many of the planks are broken, necessitating immediate repair; for which purpose an appropriation of five hundred dollars will be required.

An indispensable adjunct to health in an institution of this character is an abundant supply of pure water, to secure which and additional cistern will have to be sunk, which, to be of sufficient capacity to meet the demand, will require an outlay of about two hundred dollars.

To facilitate the advancement of pupils in the higher branches taught in the institution, the procuring of philosophical apparatus and additions to the library are considered indispensable, and to supply this want your committee recommend an appropriation of five hundred dollars.

The new east wing completed last year is without the necessary furniture to render its advantages available for the purposes of its erection, it is, therefore, recommended that an appropriation of two thousand dollars be made for the purchase of school seats and desks, chapel seats, large slates, black-boards and other school apparatus required for the use of the school rooms.

In view of the growing importance of this branch of the State's benevolence, the rapid increase of our population, and the large number of deaf mutes in the State now unprovided for, and the rapidly approaching necessity of providing additional accommodations for this class of unfortunates, joined to the fact of the growing increase

in the value of real estate in the vicinity of the present institution, and the inconvenience and the injury to health consequent upon a crowded locality, your committee earnestly recommend the purchase, by the State, for the use of the asylum, fifteen acres of land adjoining the asylum grounds on the east, which, it is believed, can now be had at the price of one hundred dollars per acre, and that an appropriation of fifteen hundred dollars be made for that purpose.

Owing to the large increase in numbers now in the institution, over the number in attendance when the law fixing the annual appropriation for its support was enacted, being now one hundred and thirty against seventy-five or eighty at that date, these appropriations are found to be inadequate to the demands upon them. Your committee therefore recommend an increase of five hundred dollars to the indigent fund, and an increase of two thousand dollars to the current and incidental fund, thus increasing the annual appropriation for indigent fund to two thousand five hundred dollars, and for incidental fund to seven thousand dollars. These amounts, it is believed by your committee, are indispensable to meet the growing necessities of the institution.

Your committee cannot close this report without bearing deserved testimony as to the able, faithful and economical management of the affairs of the asylum by the present Board of Commissioners, whose hearts are evidently in the work, and who, in the management of their own private affairs, could not evince a greater degree of interest or solicitude for success.

Fortunate for the State, and happy for her wards is it, that the affairs of this benevolent institution has been confided to such efficient and honest hands.

In conclusion, your committee can only add that in every department of the institution the most perfect order and harmony prevails. That all the acts of the commissioners are marked by prudence and economy. That the Superintendent, as a wise and benevolent father, governs with prudence, firmness and love. That the matron, with a heart overflowing with motherly kindness and affection for the unfortunate ones under her charge, has won their confidence and love. And that the teachers all seem deeply and earnestly impressed with a sense of the responsibility resting upon them, and evince a determination to discharge their whole duty to the State;

Which was read, and on motion,

Three hundred copies ordered printed in pamphlet form, together with the report of the Committee on Lunatic Asylum.

Mr. Sorrell, from the Committee on Permanent Seat of Government, submitted the following report:

To the Honorable Speaker and House of Representatives:

Your committee, to whom was referred the report of the Commissioner on Permanent Seat of Government, have had the same under careful consideration, and report as follows:

They find upon a personal examination of the State Armory, that the building is in very bad repair. The frame which supports the roof has given way, while the roof is worthless and will have to be replaced by a new one. In consequence of the leaking of the roof, the plastering is cracked and discolored, and in places falling off.

Your committee would recommend that the commissioner be authorized and instructed to have the building roofed and repaired as soon as the weather will permit.

Your committee would further report that they have examined the walls of the basement of the capitol, and find it true as stated in the report of said commissioner, that owing to the continued dampness and lack of all ventilation, the walls are rapidly going to decay, and fully concur with him in the opinion that there should be an opening made around the entire building to the depth of the basement floor. If cut in the following manner, such an opening can be made at comparatively little cost: Commence, say about eight feet from the building, and cut a ditch sloping gradually inward to the depth required, the bottom can be bricked or flagged, and easily and effectually drained by cutting it in this manner, it will supercede the necessity of walling the side, as it can be sodded or sowed in grass, and will require neither fence or grating, nor will it in the least mar the symmetry of the grounds.

There are many reasons why your committee recommend this improvement. First. The preservation of the walls of the building. Second. There are at this time, stored in two of the basement rooms, many of the valuable archives of the State, including the territorial laws, public acts, journals of the General Assembly, etc., in all, some forty thousand volumes. These are too valuable to be lost; but in their present locality, unless the rooms are ventilated, they will soon be entirely destroyed. Many of them are now covered with mould and comparatively worthless.

There is no other room in the building where they can be stored with safety.

Another reason which your committee deem important is the scarcity of room. There are at this time but three rooms in the basement which can be used by committees, and they are dark, damp and uncomfortable. By the contemplated improvement there would be six light, dry and comfortable committee rooms. There might be other reasons adduced, but the foregoing are deemed sufficient.

Your committee unanimously recommend that the commissioner be instructed to make such an opening around the capitol, have the windows enlarged, and a door placed in the front so as to afford an easy access to the basement.

The grounds around the building are not well kept, and the fence is a miserable shabby affair, disgraceful alike to the city and State, and should, at the earliest moment, be replaced by a respectable iron one. There is at this time on hand about seven hundred feet of iron fencing, and the commissioner should be authorized to contract for such additional amount as may be required to inclose the entire grounds, and proceed to the construction of the wall and fence. The broken steps leading to the portico, as well as the broken flags in the walks, should be replaced by new ones.

Your committee would especially call your attention to the condition of the ceiling of the Hall of Representatives. It is not only a dark, dingy, patched-up shabby affair, but in the opinion of builders actually dangerous, and liable to give way at any time. It should be removed and replastered in a style similar to that of the Senate Chamber.

Your committee have carefully avoided recommending any improvements or repairs not in their judgment actually required for the safety, comfort and convenience of the General Assembly and the preservation of the public property, but are unanimously of the opinion that the foregoing are necessary and should be completed at the earliest possible time. The commissioner states in his report that he could not proceed to the completion of the fence around the capitol

grounds because there was no convict labor to do the work as provided by the law. Col. Dougherty, the present warden of the Penitentiary, informs your committee that he can furnish a sufficient number of convicts to do all the grading and dressing of stone necessary to the improvements and repairs contemplated.

It is therefore respectfully recommended that the said warden be requested to furnish as many convicts as may be necessary for the commissioner to make said improvements. And your committee further recommend that the sum of twenty thousand be appropriated to pay for material, and skilled labor which may be necessary to complete the repairs contemplated. Your committee would further report that they have carefully examined the books, papers and vouchers of the Commissioner of Permanent Seat of Government, and find them correct in every particular. There is now an indebtedness of two thousand and forty-one dollars and thirty-one cents, for material for the General Assembly, and labor performed. Your committee asks that this amount may be appropriated out of the contingent fund for the payment of the claims now due, to be paid upon the vouchers being presented, attested by the Commissioner of Permanent Seat of Government.

Respectfully submitted,

SORREL, *Chairman of Committee.*

Which was read, and on motion,

150 copies ordered printed, and

Made special order for Thursday, March 9th inst., at 11 o'clock

A. M.

Mr. Edwards offered the following resolution:

Resolved, That the thanks of this House are hereby tendered to the citizens of Jefferson City for the sumptuous banquet given this House by its liberal and generous citizens last night;

Which was read and unanimously adopted.

Mr. O'Bannon of Pettis, called up

House bill No. 358,

Which was, on motion, laid over.

Mr. O'Bannon of Pettis, called up

House bill No. 61, entitled

An act repealing an act entitled an act to establish a court of common pleas in the county of Lafayette, and a court of common pleas in the county of Ray, Davis and Pettis, with probate jurisdiction, so much as refers to Pettis county.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Monroe, Buckingham, Bunch, Burrows, Burton, Butler, Ohilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Ro'ston, Samuel, Sanford, Shafer, Shewalter,

Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Worden and Mr. Speaker—93.

NOES—Messrs. Asher, Bulkley, Kost and Scoville—4.

Absent—Messrs. Bohn, Bradshaw, Brown of Howard, Doak, Dod, Dolman, Fassen, Hickman, Koch, Lamson, Leeper, Marshall, Martin of St. Louis, McAllister, Murray, Neal, Ray, Sharp, Shields, Sides and Wilkes—21.

Absent with leave—Messrs. Bass, Buller, Girdner, McPike, McMillan, Ming, Murphy, Pauley, Pope, Robinson, Schooley, Wielandy and Von Kochtitzky—13.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

The title of the bill was then read.

Mr. Thomas offered the following amendment:

Amend by adding "and to provide for the disposition and safe custody of the records, proceedings and papers of said court;"

Which was read and agreed to.

Mr. Thomas moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

House bill No 57, entitled

An act to authorize the Southwest Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company.

Was taken up.

The following amendment was recommended by the Committee on Internal Improvements:

Amend section two by adding the following to end of section:

Provided that the before mentioned Atlantic and Pacific Railroad Company shall be subject to all the duties, liabilities, obligations and restrictions resting on either of said companies before the consolidation herein referred to and authorized; *and provided further*, that the said consolidated railroad company, known by the name of the Atlantic and Pacific Railroad Company shall be subject to all the duties, liabilities, obligations, restrictions and provisions of the general laws of this State governing railroad companies now in force, or hereafter to be enacted; *and provided further*, that nothing in this act shall be so construed as authorizing the General Assembly to classify and fix the regulation, rates and charges for the transportation of freight and passengers until after March 17, 1878.

Mr. Mullings offered the following amendment to the amendment:

Strike out last provision and substitute, "*and provided further*, that the provisions of this section subjecting the before mentioned Atlantic and Pacific Railroad to future legislation in regard to freights and passengers shall not take effect until after March 17, 1878;

Which was read first and second times and agreed to, and the amendment as amended was adopted.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Rolston, Samuel, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Walker, White of Texas, Wight of Vernon Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—107.

Absent—Messrs. Borg, Doak, Fassen, Kost, Lamson, Marshall, McAllister, Turner, Ray, Sanford, Sharp, Wilkes and Wielandy—13.

Absent with leave—Messrs. Bass, Girdner, Martin of St. Louis, McPike, Ming, McMillan, Murphy, Murray, Pauley, Pope, Robinson and Von Kochtitzky—12.

Sick—Messrs. Abbee, Bohn, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

The title of the bill was read and agreed to.

On motion of Mr. Mullings,
The vote by which the bill passed was reconsidered, and that motion was laid on the table.

Leave of absence was granted to Mr. Murray for one week;
Mr. Rolston for two days;
Messrs. Pauley, and Martin of St. Louis, for one day.

The following message was received from the Governor by his private Secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 3, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bill from the House:

An act to abolish the Brunswick court of common pleas, and to establish a court of common pleas at Brunswick in its stead with criminal jurisdiction.

Respectfully,
B. GRATZ BROWN.

House bill No. 385, entitled

An act repealing an act entitled an act to establish a court of common pleas in the county of Lafayette, and a court of common pleas in the county of Ray, Daviess and Pettis, with probate jurisdiction, and acts amendatory thereto, so far as relates to Lafayette county,

Was taken up, rules suspended, and read the third time, and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Rolston, Samuel, Sanford, Schooley, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—102.

NOES—Mr. Kost—1.

Absent—Messrs. Beltrami, Bohn, Doak, Fassen, Koch, Lamson, Martin of Caldwell, McAllister, Neal, Ray, Robinson, Scoville, Sharp, Shields, Wielandy, and Wilkes—16.

Absent with leave—Messrs. Bass, Buller, Girdner, Martin of St. Louis, McMillan, McPike, Ming, Murphy, Murray, Pauley and Von Kochtitzky—12.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

The title was then read.

Mr. Thomas offered the following amendment:

Amend by adding the following to the title: "and to provide for the disposition and safe custody of the records, proceedings and papers of said court;"

Which was read and agreed to.

The title as amended was then read and agreed to.

Mr. Mullings moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER: The Committee on the Judiciary, to whom was referred

House bill No. 352, entitled

An act to amend section thirteen, chapter thirty-two of the General Statutes of Missouri, concerning sheriff's fees in civil cases,

Have had the same in consideration, and respectfully report a substitute for said bill, and recommend that the substitute do pass,

Which was read.

House bill No. 352, entitled

An act to amend section thirteen, chapter thirty-two of the General Statutes of Missouri, concerning sheriff's fees in civil cases,

Was taken up together with the amendment by way of substitute as recommended by the committee.

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs Abington, Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Rolston, Samuel, Sanford, Schooley, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—97.

NOES—Messrs. Applegate, Dod, Haas and Hooper—4.

Absent—Messrs. Beltrami, Bohn, Doak, Fassen, Kitchen, Koch, Lamson, Marshall, McAllister, Mortell, Ray, Robinson, Scoville, Sharp, Walker and Wilkes—16.

Absent with leave—Messrs. Bass, Buller, Girdner, Martin of Caldwell, Martin of St. Louis, McMillan, McPike, Ming, Murphy, Murray, Pauley, Pope, Von Kochtitzky and Wielandy—14.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett, and O'Bannan of Dallas—6.

The title was then read and agreed to.

Mr. Bell moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bills No. 381 and 382,

In relation to the probate court of Platte county,

Beg leave to report a substitute therefor with the recommendation that the substitute do pass;

Which was read.

Substitute for House bills Nos. 381 and 382,

As recommended by the Committee on Local Bills,

Was then taken up,

Was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—104.

NOES—Messrs. Dent and Kost—2.

Absent—Messrs. Beltrami, Bohn, Doak, Fassen, Koch, Lamson, Marshall, McAllister, Sharp, Wielandy and Wilkes—11.

Absent with leave—Messrs. Bass, Buller, Girdner, Martin of St. Louis, McMillan, McPike, Ming, Murphy, Murray, Pauley, Pope, Robinson and Von Kochtitzky—11.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

Title read and agreed to.

Mr. Brown of Monroe, moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body:

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion;

Senate bill No. 99, entitled

An act to amend sections one and seven of chapter twenty-three of the General Statutes, being sections one and seven of chapter one hundred and one of Wagner's Statutes, and entitled "of notaries public;"

Senate bill No. 60, entitled

An act to provide for the recovery of money misappropriated by county courts and municipal corporations;

Senate bill No. 115, entitled

An act to prohibit the carrying of deadly weapons;

Senate bill No. 120, entitled

An act to amend an act entitled an act to incorporate the town of Ironton, approved February 1, 1859;
Which was read.

House bill No. 19, entitled

An act to amend an act to establish a court of common pleas in the county of Linn, approved March 12, 1867,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Butler, Ohilton, Olaiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—103.

NOES—None.

Absent—Messrs. Beltrami, Bohn, Doak, Fassen, Kitchen, Koch, Lamson, Marshall, McAllister, Neal, Ray, Sharp, Wielandy and Wilkes—14.

Absent with leave—Messrs. Bass, Buller, Girdner, Martin of Caldwell, Martin of St. Louis, McPike, McMillan, Ming, Murphy, Murray, Pauley, Pope, Robinson and Von Kochtitzky—14.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

Mr. Myers moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

House bill No. 450, entitled

An act to provide for the election of county court justices in Macon county,
Was taken up.

Leave of absence was granted Mr. Myers for four days.

On motion of Mr. Shields,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The question before the House being the consideration of House bill No. 450,

Mr. Dean moved to read the bill the third time and put it on its passage without debate;

Which was agreed to.

Mr. Asher moved to refer the bill to the Committee on Judiciary.

Mr. Shields having demanded the ayes and noes, the motion to refer was not agreed to by the following vote :

AYES—Messrs. Abington, Adams of Gentry, Asher, Breazeale, Buckham, Bulkley, Clark, Cloud, Crockett, Dent, Dod, Eubanks, Hooper, Kost, Langston, Miller, Moore of Livingston, Moore of Stone, Norris, Scoville, Shields and Smith—22.

NOES—Messrs. Adams of Butler, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Bunch, Burrows, Burton, Chilton, Claiborne, Coleman, Davis, Dean, Dolle, Dolman, Edens, Edwards, Frost, Goodson, Gray, Hardin, Harmon, Howell, Hubbell, Latshaw, Leach, Leeper, Maupin, Mabrey, Mitchell, Mortell, Mullings, Murphy, Newman, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Sanford, Shafer, Sides, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Williams of Audrain, Worden and Mr. Speaker—62.

Absent—Messrs. Abbee, Butler, Colcord, Collier, Gates, George, Kitchen, Knott, Lamson, Logan, Marlin, Marshall, Martin of Caldwell, McAllister, Neal, Robinson, Rolston, Ray, Schooley, Shewalter, Steele, Walker, White of Texas, Wight of Vernon and Williams of Morgan—25.

Absent with leave—Messrs. Bass, Bell, Bohn, Buller, Doak, Fassen, Girdner, Haas, Hickman, Hutt, Koch, Martin of St. Louis, McPike, Ming, Murphy, Myers, McMillan, Pauley, Pope, Sharp, Von Kochtitzky, Wilkes and Wielandy—23.

Sick—Messrs. Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

On motion of Mr. Brown of Howard,
House bill No. 450 was
Referred to Committee on Local Bills.

Mr. Neal introduced a bill entitled

An act to vacate the office of constable in Madison township election district in Harrison county, and to provide for filling the vacancy by appointment;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Barnes, Barrett, Bennett, Bittinger, Bradshaw, Brown of Howard, Brown of Monroe, Bulkley, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Colcord, Coleman, Collier, Davis, Dean, Dolman, Edens, Edwards, Eubanks, Frost, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kost, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Miller, Mitchell, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—73.

NOES—Messrs. Adams of Gentry, Asher, Auer, Ballard, Bosbyshell, Breazeale, Buckham, Cloud, Crockett, Dent, Dod, Dolle, Mabrey, Moore of Livingston, Moore of Stone, Myers, Shields, Smith and White of Texas—19.

Absent—Messrs. Bell, Beltrami, Bohn, Buller, Butler, Doak, Fassen, Hickman, Hutt, Kitchen, Knott, Koch, Lamson, Marshall, McAllister, Mortell, Ray, Robinson, Sharp, Sloan, Steele, Von Kochtitzky, Walker, Wielandy, Wilkes and Williams of Morgan—26.

Absent with leave—Messrs. Bass, Gates, Girdner, Logan, Martin of St. Louis, McMillan, McPike, Ming, Murphy, Murray, Pauley, Pope and Rolston—13.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title of the bill was read and agreed to.

Mr. Mullings moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Hardin called up

House bill No. 60, entitled

An act to amend sections four and twelve of an act to amend and reduce into one the several acts relating to the Louisiana court of common pleas, approved March 13, 1867.

Mr. Hardin offered the following amendment:

Amend section two by striking out the words "said jury to be taken from any part of said county;

Which was read and agreed to.

The bill was then read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Chilton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kitchen, Kost,

Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Ray, Richardson, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Shields, Sides, Sloan, Smith Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—92.

NOES—None.

Absent—Messrs. Barrett, Bell, Beltrami, Borg, Butler, Claiborne, Doak, Fassen, Gates, Hickman, Knott, Koch, Neal, Sharp, Steele, Wielandy, Wilkes and Williams of Morgan—18.

Absent with leave—Messrs. Bass, Buller, Girdner, Lamson, Logan, Marshall, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Robinson, Rolston and Von Kochitzky—19.

Sick—Messrs. Abbee, Bohn, Gratiot, Hackman, Hammett, and O'Bannon of Dallas—6.

Title read and agreed to.

Mr. Hardin moved to reconsider the vote by which the bill passed, and to lay that motion on the table ;

Which was agreed to.

Mr. Stone, from the Committee of the St. Louis Delegation, submitted the following report :

MR. SPEAKER: Your Committee, of the St. Louis Delegation, to whom was referred

House bill No. 43,

An act to establish St. Louis Park,

Having had the same under consideration, respectfully recommend that the same be

Referred to the Committee on Unfinished Business ;

Which was read.

House bill No. 43,

Was taken up, and on motion

Referred to Committee on Revised and Unfinished Business.

Mr. Stone, from the Committee of the St. Louis Delegation, submitted the following report :

MR. SPEAKER: The Committee of the St. Louis Delegation to whom was referred

House bill No. 317,

An act to extend the jurisdiction of the police court of the city of St. Louis, for certain purposes,

Having had the same under consideration, respectfully recommend that the same do not pass ;

Which was read.

House bill No. 317, entitled

An act to extend the jurisdiction of the police court of the city of St. Louis for certain purposes,

Was taken up.

Mr. Auer offered the following amendment :

Amend by striking out "3 miles," and insert in lieu thereof "300 feet;"

Which, on motion was, with the bill

Referred back to the St. Louis delegation.

Mr. Stone, from the Committee of the St. Louis Delegation submitted the following report :

MR SPEAKER : The Committee of the St. Louis Delegation to whom was referred

Senate bill No. 104,

An act to amend an act entitled an act extending the authority and jurisdiction of the Board of Health of the city of St. Louis over the district of country outside of said city to the extent of three miles from the corporate limits thereof, approved March 24, 1870,

Having had the same under consideration, respectfully submit the enclosed substitute, and recommend that the same do pass ;

Which was read, together with the substitute recommended by the committee ;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Goodson, Gray, Haas, Hardin, Harison, Hooper, Howell, Hubbell, Kitchen, Kost, Langston, Lashaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Neal, Newnan, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Sanford, Scheoley, Scoville, Shafer, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—91.

NOES—Messrs. Alsop, Auer and Crockett—3.

Absent with leave—Messrs. Bass, Buller, Girdner, Lamson, Logan, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Robinson, Rolston, and Von Kochtitzky—18.

Absent—Messrs. Ballard, Barnes, Bohn, Beltrami, Butler, Davis Doak, Fassen, Gates, George, Hickman, Hutt, Knott, Koch, Marshall, Mortell, Ray, Sharp, Steele, Wilkes, Williams of Morgan and Wielandy—22.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

House bill No. 214, entitled

An act to establish a probate court in the county of Bates,

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Buckham, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kitchen, Kost, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Schooley, Scoville, Shafer, Shewalter, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—85.

NOES—Messrs. Bulkley and Shields—2.

Absent with leave—Messrs. Bass, Buller, Girdner, Hutt, Lamson, Logan, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Rolston and Von Kochtitzky—18.

Absent—Messrs. Adams of Gentry, Alsup, Asher, Beltrami, Bohn, Brown of Howard, Butler, Doak, Edwards, Fassen, Hickman, Knott, Koch, Marshall, Mortell, Ray, Robinson, Sanford, Sharp, Smith, Steele, Sides, Wielandy, Wilkes, White of Texas and Williams of Morgan—26.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title was read and agreed to.

Mr. Walker moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

House bill No. 424, entitled

An act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Barton, Lawrence, Wright, Nodaway, Chariton, Mississippi, New Madrid, Pemiscot, Christian, Johnson, Buchanan, DeKalb, Butler, Howell, Stoddard, Webster, Sullivan, Warren, Linn, Phelps, Carter, Grundy, Scott and Oregon, define their jurisdiction and provide for the election of judge of probate, approved March 19, 1866, and to regulate the fees of the DeKalb probate court,

Was taken up.

Mr. Hubbell offered the following amendment:

Amend by inserting "Grundy county;"

Which was agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard,

Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kost, Langston, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Sanford, Schooley, Scoville, Shafer, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Worden and Mr. Speaker—90.

NOES—None.

Absent—Messrs. Asher, Beltrami, Bohn, Butler, Doak, Fassen, Gates, Hickman, Hutt, Kitchen, Knott, Koch, Lamson, Latshaw, Marshall, Mortell, Ray, Robinson, Sharp, Shewalter, Steele, Wielandy, Wilkes, Williams of Audrain and Williams of Morgan—25.

Absent with leave—Messrs. Bass, Buller, Girdner, Logan, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Rolston and Von Kochtitzky—16.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title of the bill was read and agreed to.

Mr. Dean moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

House bill No. 288, entitled

An act to amend the charter of the town of Canton and consolidate the several acts relating thereto,

Was taken up, and, on motion,

The rules were suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, George, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kitchen, Kost, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Rolston, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Worden and Mr. Speaker—87.

NOES—None.

Absent—Messrs. Abbee, Asher, Beltrami, Bohn, Bosbysbell, Burton, Coleman, Doak, Fassen, Gates, Hickman, Knott, Koch, Mortell, Neal, Newman, Ray, Sharp, Steele, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—24.

Absent with leave—Messrs. Bass, Buller, Girdner, Hutt, Lamson, Logan, Marshall, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Robinson, Rolston and Von Kochtitzky—20.

Sick—Messrs. Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—5.

Excused from voting—Mr. Shields—1.

The title of the bill was read and agreed to.

Mr. Barrett moved to reconsider the vote by which the bill passed and to lay his motion on the table;

Which was agreed to.

House bill No. 170, entitled

An act to establish a probate court in the county of Pettis,

Was taken up, rules suspended, read the third time, and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Auer, Bailard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bunch, Burrows, Burton, Chilton, Clark, Colcord, Collier, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Frost, Goodson, Gray, Haas, Hardin, Howell, Hubbell, Kitchen, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Mullings, Myers, Norris, O'Bannon of Pettis, Randall, Richardson, Samuel, Sanford, Schooley, Shafer, Sides, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—77.

NOES—Messrs. Alsup, Breazeale, Bulkley, Cloud, Crockett, Harmon, Hooper, Kost, Moore of Livingston, Moore of Stone, Raney, Scoville, Shields and Smith—14.

Absent—Messrs. Applegate, Asher, Beltrami, Bohn, Butler, Claiborne, Coleman, Doak, Eubanks, Fassen, Gates, Hickman, Knott, Koch, Marshall, Mortell, Neal, Newman, Sharp, Shewalter, Sloan, Steele, Wielandy, Wilkes and Williams of Morgan—26.

Absent with leave—Messrs. Bass, Buller, George, Girdner, Hutt, Logan, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Pauley, Pope, Robinson, Rolston and Von Kochtitzky—27.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett, and O'Bannan of Dallas—6.

The title of the bill was then read and agreed to.

Mr. O'Bannon of Pettis moved to reconsider the vote by which the bill passed, and to lay that motion on the table;

Which was agreed to.

House bill No. 358, entitled

An act to amend an act entitled an act to organize the Ironton Mining Company,

Was taken up,

Mr. Leeper offered the following amendment:

Amend by striking out section five and inserting:

"That this company shall be governed by the general corporation laws of this State, in all things appertaining to corporations;

Which was read and agreed to.

On motion, the rules were suspended, the bill read third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bunch, Burrows, Burton, Chilton, Cloud, Collier, Crockett, Davis, Dent, Dod, Dolle, Dolman, Edens, Edwards, Frost, Goodson, Gray, Haas, Hardin, Harmon, Hooper, Howell, Hubbell, Kitchen, Kost, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Myers, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Scoville, Shafer, Sides, Smith, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—78.

NOES—Mr. Bulkley—1.

Absent—Messrs. Asher, Ballard, Bass, Beltrami, Bohn, Buller, Butler, Claiborne, Clark, Colcord, Coleman, Dean, Doak, Eubanks, Fassen, Gates, Hickman, Knott, Koch, Mortell, Neal, Newman, Ray, Samuel, Sanford, Schooley, Sharp, Shewalter, Shields, Sloan, Sorrell, Steele, Wilkes and Williams of Morgan—34.

Absent with leave—Messrs. George, Girdner, Hutt, Lamson, Logan, Marshall, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Pauley, Pope, Robinson, Rolston and Von Kochtitzky—18.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

The title of the bill was read and agreed to.

Mr. Leeper moved to reconsider the vote by which the bill passed, and to lay that motion on the table;
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 461, entitled

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to

provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas;

Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 416, entitled

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas,

Was taken up.

Mr. Maupin offered the following amendment:

Amend by adding the following section:

"Sec. —. This act to take effect and be in force from and after its passage;"

Which was agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Burton, Chilton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Kitchen, Langston, Latshaw, Leach, Marlin, Martin of Caldwell, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Samuel, Sanford, Schooley, Sides, Smith, Stone, Squires, Thomas, Turner, Van Roden, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—83.

NOES—Mr. Kost—1.

Absent—Messrs. Beltrami, Bohn, Butler, Coleman, Doak, Fassen, Knott, Koch, Leeper, Mortell, Neal, Newman, Ray, Scoville, Shafer, Sharp, Shewalter, Shields, Sloan, Sorrell, Stancil, Steele, Wielandy, Wilkes and Williams of Morgan—26.

Absent with leave—Messrs. Bass, Buller, Gates, George, Girdner, Hutt, Lamson, Logan, Marshall, Martin of St. Louis, McAllister, McMillan, McPike, Ming, Murphy, Murray, Myers, Pauley, Pope, Robinson, Rolston and Von Kochtitzky—22.

Sick—Messrs. Abbee, Borg, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title of the bill was then read and agreed to.

Mr. Maupin moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Auer moved to adjourn until Monday at 10 o'clock, A. M.;
Which was agreed to.

MONDAY, MARCH 6, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Rev. Mr. Huber.

The journal of yesterday was being read, when
On motion of Mr. Frost,
The further reading of the journal was dispensed with.

Mr. Abington offered the following resolution:

Resolved, That the business of the morning hour be suspended until the 15th inst., and that the House will entertain the consideration of no other bills until the bills in relation to roads and highways and of the revenue, are disposed of by the House; *provided*, that this resolution shall not apply to night sessions;

Which was read.

Mr. Shafer offered the following amendment:

Amend by adding "provided that this resolution shall not apply to the sessions of this House on Friday and Saturday of this week;"

Which was read and agreed to.

Upon a division of the question the resolution as amended was adopted.

Mr. Colcord moved to reconsider the vote by which the resolution was adopted;

Which was read and not agreed to.

On motion of Mr. Brown of Howard,

The special order being

House bill No. 9, entitled

An act regulating the indebtedness of counties, cities, incorporated towns and municipal townships, and to provide for the payment of the same,

Was taken up.

Mr. Neal offered the following amendment:

Amend section one by striking out all after the word "act" in fifth line and inserting the following: "There shall be annually collected from all the taxable property of such county, city, incorpora-

ted town or municipal township in the manner as hereinafter provided, a sufficient revenue to pay the interest and principal of said railroad debt as the same may fall due."

Pending the amendment of Mr. Neal's,

On motion of Mr. Mullings,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following entitled bills have been introduced into and passed the Senate:

Substitute for Senate bill No. 112, entitled

An act amendatory of and supplementary to an act entitled an act to incorporate the Farmers' Male and Female Academy Association in the county of Newton, approved November 4, 1857;

Senate bill No. 150, entitled

An act to amend an act entitled an act to incorporate Arcadia High School, approved February 5, 1859;

Senate bill No. 164, entitled

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb;"

Senate bill No. 197, entitled

An act to provide for the assessment of personal property for the year 1871, in all counties where such assessment has been made for said year.

In which the concurrence of the House is respectfully requested.

Also, that the Senate has taken up the following entitled House bills and passed the same with the accompanying amendments:

Substitute for House bill No. 194, entitled

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859;

And House bill No. 53, entitled

An act to amend the charter of the city of St. Joseph.

In which amendments the concurrence of the House is respectfully requested.

The House resumed the consideration of the pending question, being the amendment offered by Mr. Neal to

House bill No. 9, entitled

An act regulating the indebtedness of counties, cities, incorporated towns and municipal townships, and to provide for the payment of the same.

Mr. Shafer moved to reject the amendment;

Which was read not agreed to.

Mr. Knott moved to indefinitely postpone the bill.

Mr. McMillan offered the following amendment:

Amend to postpone to the second Tuesday in January, 1872.

Mr. Moore of Livingston, moved to lay the resolution on the table.

Mr. Claiborne demanded the ayes and noes.

The motion was not agreed to by the following vote:

AYES—Messrs. Abington, Applegate, Barnes, Bennett, Bradshaw, Breazeale, Buckham, Bunch, Chilton, Coleman, Dolle, Edens, George, Howell, Kitchen, Leeper, Miller, Moore of Livingston, Moore of Stone, O'Bannon of Pettis, Sanford, Stancil, Thomas, Van Roden and White of Texas—25.

NOES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Barrett, Bass, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Bulkley, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Dod, Dolman, Edwards, Eubanks, Frost, Gates, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Mullings, Neal, Newman, Norris, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Shewalter, Sides, Sloan, Smith, Sorrell, Steele, Stone, Turner, Wielandy, Wight of Vernon, Williams of Audrain and Worden—79.

Not voting—Mr. Speaker—1.

Absent—Messrs. Ballard, Bell, Beltrami, Brown of Monroe, Butler, Dean, Fassen, Mitchell, Mortell, Sharp, Shields, Walker and Williams of Morgan—13.

Absent with leave—Messrs. Doak, Girdner, Lamson, McAllister, McPike, Ming, Murphy, Murray, Myers, Pope, Ray, Squires, Von-Kochtitzky and Wilkes—14.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The motion of Mr. McMillan to postpone the bill to the second Tuesday in January, 1872, was agreed to.

On motion of Mr. Stone,

The House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Leeper moved a call of the House, to ascertain whether there was a quorum present.

Leave of absence was granted to the following members:

Messrs. Dean and Ballard, four days.

Mr. Williams of Morgan, two days.

Mr. Shields, one day.

Mr. Bell, one day.

Mr. Sharp, one day.

Upon a call of the roll of the House, the following members answered to their names:

Present—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Auer, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle, Edwards, Eubanks, Frost, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Shewalter, Sides, Stancil, Stone, Thomas, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—72.

Absent—Messrs. Applegate, Asher, Barnes, Barrett, Beltrami, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dod, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Randall, Richardson, Scoville, Sloan, Smith, Sorrell, Steele, Walker, Wielandy, Wight of Vernon, Wilkes and Worden—40.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Lamson, Marshall, McAllister, McMillan, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Von Kochtitzky and Williams of Morgan—19.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, O'Bannan of Dallas and Squires—6.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate concurrent resolution No. 23; also,

Substitute for Senate bill No. 101; also,

Senate bill No. 105,

Have had the same under consideration and read, Doak, Girdner,
mend that they do pass; ray, Myers, Pope,
Which was read. of Morgan and

Senate bill No. 101, entitled

An act to authorize the redemption of Union Military
with the State Treasurer, Hardin and

Was taken up,

On motion, the rules were suspended, the bill read the th.
and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gen.
Alsup, Auer, Bass, Bennett, Bohn, Borg, Bosbyshell, Breazeale, Bra
shaw, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud,
Coleman, Collier, Crockett, Davis, Dent, Dolle, Edwards, Eubanks,
Frost, George Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hub-
bell, Knott, Kost, Koch, Langston, Leach, Leeper, Logan, Marlin, Mar-
tin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone,
Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Randall,
Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, She-
walter, Sides, Stancil, Steele, Thomas, Turner, Van Roden, Wielandy,
White of Texas, Williams of Audrain and Mr. Speaker—74.

NCES—None.

Absent—Messrs. Applegate, Asher, Barnes, Barrett, Beltrami,
Bittinger, Brown of Howard, Brown of Monroe, Buckham, Buller,
Butler, Chilton, Colcord, Dod, Dolman, Edens, Fassen, Gates, Gray,
Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Liv-
ingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith,
Sorrrell, Stone, Walker, Wight of Vernon and Worden—38.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner,
Hardin, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers,
Pope, Sharp, Shields, Von Kochtitzky, Williams of Morgan and
Wilkes—19.

Sick—Messrs. Gratiot, Hackman, Hammett, and O'Bannan of Dal-
las and Squires—6.

The title was read and agreed to.

Mr. Shafer moved to reconsider the vote by which the bill passed
and to lay his motion to reconsider on the table ;

Which was agreed to.

Senate concurrent resolution No. 23, entitled

Concurrent resolution to adopt the report of the committee to
settle with the State Auditor and Treasurer, and for other purposes,
Was taken up.

On motion, the rules were suspended, the bill read the third time
and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry
Alsup, Applegate, Auer, Barrett, Bass, Bennett, Bohn, Borg, Bosby-
shell, Breazeale, Brown of Howard, Bulkley, Bunch, Burrows, Burton,
Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle,

Goodson, Haas, Harmon, Hicknott, Koch, Kost, Langston, Leach, Caldwell, Martin of St. Louis, May, Neal, Newman, Norris, O'Bannon, Rolston, Samuel, Sanford, Sides, Stancil, Steele, Thomas, of Texas, Williams of Audrain,

The House

Speaker

Mr. L

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Allard, Bell, Dent, Doak, Girdner, Pike, Ming, Murray, Myers, Pope, Shitzky, Williams of Morgan and

Asher, Barnes, Beltrami, Bittinger, Bradshaw, Buckham, Buller, Butler, Chilton, Colcord, Dod, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith, Sorrell, Stone, Walker and Wight of Vernon—30.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin and O'Bannon of Dallas—5.

The title was then read and agreed to.

Mr. Shafer moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 105, entitled

An act regulating the State sinking fund,

Was taken up.

On motion, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Bass, Barrett, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Randall, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Shewalter, Sides, Stancil, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Williams of Audrain, Worden and Mr. Speaker—78.

NOES—Mr. Sanford—1.

Absent—Messrs. Asher, Barnes, Beltrami, Bittinger, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith, Sorrell, Stone, Walker and Wight of Vernon—33.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Williams of Morgan and Wilkes—19.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin and O'Bannon of Dallas—6.

The title was then read and agreed to.

Mr. Brown of Howard moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 164, entitled

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two, of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb,"

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Deaf and Dumb Asylum.

Senate bill No. 197, entitled

An act to provide for the assessment of personal property for the year 1871 in all counties where such assessment has not been made for said year,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Senate bill No. 150, entitled

An act to amend an act entitled an act to incorporate Arcadia High School, approved February 5, 1859,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Substitute for Senate bill No. 112, entitled

An act amendatory and supplementary to an act entitled an act to incorporate the Farmers' Male and Female Academy Association in the county of Newton, approved November 4, 1857,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Senate bill No. 113, entitled

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Senate concurrent resolution No. 30, entitled

Concurrent resolution relative to the destruction of plates used for the printing of Union Military Bonds, etc.,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Ways and Means.

Senate bill No. 120, entitled
An act to amend an act entitled an act to incorporate the town of Ironton, approved February 1, 1859,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Banks and Corporations.

Senate bill No. 99, entitled
An act to amend sections one and seven of chapter twenty-three of the General Statutes, being sections one and seven of chapter one hundred and one of Wagner's Statutes, and entitled "of notaries public;"
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

Senate bill No. 115, entitled
An act to prohibit the carrying of deadly weapons;
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Criminal Jurisprudence.

Senate bill No. 1, entitled
An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Ways and Means.

Senate bill No. 60, entitled
An act to provide for the recovery of money misappropriated by county courts and municipal corporations,
Was taken up, read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Criminal Jurisprudence.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education to whom was referred

Senate bill No. 56,
Have had the same under consideration and have instructed me to report it back to the House, with the recommendation that it do pass;

Which was read.

Senate bill No. 56, entitled
An act entitled an act to amend an act entitled an act to provide for the reorganization and support of public schools, and revise and amend laws relating thereto, and repeal certain acts and parts of acts,

Was taken up.

On motion, the rules were suspended, the bill read the third time and failed to pass by the following vote:

AYES—Messrs. Adams of Gentry, Alsup, Asher, Auer, Barrett, Bennett, Bittinger, Bohn, Breazeale, Bulkley, Burrows, Claiborne, Olark, Cloud, Colcord, Collier, Crockett, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Kost, Langston, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Scoville, Shafer, Sides, Sorrell, Steele, Stone, Van Roden, Wielandy and Worden—64.

NOES—Messrs. Abington, Adams of Butler, Applegate, Bass, Borg, Bosbyshell, Bradshaw, Brown of Howard, Bunch, Burton, Coleman, Davis, George, Hutt, Knott, Leeper, Murphy, Newman, Samuel, Schooley, Stancil, Thomas, Turner and White of Texas—24.

Not voting—Mr. Speaker—1.

Absent—Messrs. Barnes, Beltrami, Brown of Monroe, Buckham, Buller, Butler, Chilton, Dolman, Edens, Fassen, Gray, Hardin, Kitchen, Latschaw, Mitchell, Moore of Livingston, Mortell, Ray, She-walter, Sloan, Smith, Walker, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—26.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires and Von Kochtitzky—17.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, and O'Ban-nan of Dallas—5.

Mr. Knott moved to reconsider the vote by which the bill failed to pass.

Mr. Borg, from the Committee on Immigration, submitted the following report:

MR. SPEAKER: Your Committee on Immigration, to whom was referred

Senate concurrent resolution No 24,

With report of the State Board of Immigration;

Have considered the same, and herewith return it with the recommendation that two thousand copies of said report be printed, five hundred for the use of the members and the remainder for the use of the State Board of Immigration;

Which was read, and

Laid over informally.

Senate concurrent resolution No. 24, entitled

Requiring the State Board of Immigration to report to this General Assembly,

Was taken up, read, and,

Laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred

Senate bill No. 27,
Abolishing the Kansas City court of common pleas,
Have had the same under consideration and have instructed me
to report it back to the House with the recommendation that it do
pass;

Which was read.

Senate bill No 27, entitled

An act repealing the acts establishing the Kansas City court of
common pleas,

Was taken up.

On motion, the rules were suspended, the bill read the third time
and passed by the following vote:

AYES—Messrs. Abington, Adams of Butier, Adams of Gentry,
Alsop, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bittinger,
Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulk-
ley, Bunch, Burrows, Burton, Claiborne, Clark, Colcord, Coleman,
Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost,
Gates, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell,
Hubbell, Hutt, Knott, Koch, Kost, Langston, Leach, Logan, Marlin,
Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller,
Moore of Stone, Mullings, Murray, Newman, Norris, O'Bannon of
Pettis, Raney, Randall, Richardson, Robinson, Rolston, Samuel,
Sanford, Schooley, Shafer, Sides, Sorrell, Stancil, Steele, Stone,
Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and
Mr. Speaker—82.

NOES—None.

Absent—Messrs. Bohn, Barnes, Beltrami, Bradshaw, Brown of
Monroe, Buller, Butler, Chilton, Cloud, Dolman, Edens, Fassen,
Kitchen, Latshaw, Leeper, McPike, Mitchell, Moore of Livingston,
Mortell, Neal, Pauley, Ray, Scoville, Shewalter, Sloan, Smith, Walker,
Wight of Vernon and Williams of Morgan—32.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner,
Hardin, Lamson, Marshall, McAllister, McMillan, Ming, Murray,
Myers, Pope, Sharp, Shields, Von Kochtitzky, Williams of Audrain,
Squires and Wilkes—20.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannan
of Dallas—5.

Mr. Thomas offered the following amendment to the title :

Add to the title as follows :

And to provide for the disposition and custody of the records,
papers and proceedings of said court;

Which was read and agreed to.

The title, as amended, was then agreed to.

Mr. Thomas moved to reconsider the vote by which the bill passed,
and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Burton, from the Committee on Local Bills, submitted the following report :

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

Senate bill No. 143, entitled

An act supplementary and amendatory of an act to incorporate the town of Huntsville, approved March 12, 1869,

Have had the same under consideration and report it back to the House with the recommendation that the bill do pass.

Senate bill No. 143, entitled

An act supplementary and amendatory of an act entitled an act to incorporate the town of Huntsville, approved March 12, 1869,

Was taken up.

On motion, the rules were suspended, read the third time, and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bohn, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Harmon, Hooper, Howell, Hubbell, Hunt, Knott, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Sides, Sorrell, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and Mr. Speaker—80.

NOES—None.

Absent—Messrs. Barnes, Beltrami, Bittinger, Borg, Bradshaw, Brown of Monroe, Buller, Butler, Chilton, Cloud, Dolman, Edens, Fassen, Gray, Hickman, Kitchen, Lamson, Latshaw, Marshall, McPike, Mitchell, Moore of Livingston, Mortell, Ray, Scoville, Shewalter, Sloan, Smith, Stancil, Stone, Walker, Wight of Vernon and Williams of Audrain—33.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Kost, Marshall, McAllister, McMillan, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Williams of Morgan and Wilkes—20.

Sick—Messrs. Abbee, Gratiot, Hackman and Hammett—4.

The title was then read and agreed to.

Mr. Knott moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Claiborne offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed to report on Senate bill No. (1) one, to this House, on Friday next at 10 o'clock;

Which was read and adopted.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: The Committee on Claims to whom was referred Senate bill No. 6,

An act to refund to the German St. Vincent Association, 711 41-100 dollars,

Having had the same under consideration, respectfully recommend that the same do pass.

Senate bill No. 6, entitled

An act to refund to the German St. Vincent Association, 711 41-100 dollars,

Was taken up,

The rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Claiborne, Clark, Colcord, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sides, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and Mr. Speaker—85.

NOES—None.

Absent—Messrs. Barnes, Beltrami, Brown of Monroe, Buller, Burton, Butler, Chilton, Cloud, Coleman, Dolman, Edens, Fassen, Goodson, Gray, Kitchen, Latschaw, Mitchell, Moore of Livingston, Ray, Shewalter, Sloan, Smith, Sorrell, Walker, Wight of Vernon and Williams of Audrain—26.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hammett, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Wilkes and Williams of Morgan—20.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin, and O'Bannon of Dallas—6.

The title was then read and agreed to.

Mr. Bosbyshell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table:

Which was agreed to.

On motion of Mr. Neal,

The House adjourned until 10 o'clock, A. M. to-morrow

TUESDAY, MARCH 7, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Martin of St. Louis,
The further reading of the journal was dispensed with.

House bill No. 356, entitled

An act to provide for the opening and repairing of public roads
and repealing all former and existing acts relating to the same,
Was taken up.

Mr. Shafer moved to postpone the further consideration of the bill
to the second Tuesday in January, 1872.

Mr. Haas moved to lay the motion to postpone on the table;
Which was agreed to.

Mr. Brown of Howard, offered the following amendment to the
bill:

Amend by adding to section forty-seven, after the word "roads," in
second line, "two days in each year, and every person owning property
and residing in each road district, shall be liable for one day's
work in such district for every three thousand dollars such person
may own in such road district, as shown by the last assessment roll;"

Which was read.

Mr. Eubanks offered the following amendment to the amendment:

Amend the amendment by striking out the words "three thousand,"
and insert in place thereof the words "one thousand;"

Which was read.

Mr. Neal offered the following substitute:

Substitute for section 47 and the pending amendment:

All able bodied male inhabitants between the ages of twenty-one and fifty years, having resided in the road district one month, shall be subject to work on the public roads, and every person subject to work on roads shall pay a road poll tax of three dollars annually; and for the purpose of opening, repairing, and improving roads, and in order to raise the necessary funds to pay the expenses of any or all of such opening, repairing, or improvements, the county courts of the various counties shall levy a special tax, not exceeding two mills on the dollar of the taxable property of the county, and all property taxable by law, which shall be known as the road tax; said levy to be made at the time and in the same manner as the county revenue is levied hereafter, all property, whether belonging to non-residents or others, subject to pay a county tax, shall be made subject to pay a road tax, and it shall be the duty of the county court to have all road taxes that are levied, both poll or property tax for opening, working, and repairing public roads, placed in a separate column of the State

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Leeper moved a call of the House, to ascertain whether there was a quorum present.

Leave of absence was granted to the following members:

Messrs. Dean and Ballard, four days.

Mr Williams of Morgan, two days.

Mr. Shields, one day.

Mr. Bell, one day.

Mr. Sharp, one day.

Upon a call of the roll of the House, the following members answered to their names:

Present—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Auer, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle, Edwards, Eubanks, Frost, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Ray, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Shewalter, Sides, Stancil, Stone, Thomas, Turner, Van Roden, White of Texas, Williams of Audrain and Mr. Speaker—72.

Absent—Messrs. Applegate, Asher, Barnes, Barrett, Beltrami, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dod, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Randall, Richardson, Scoville, Sloan, Smith, Sorrell, Steele, Walker, Wielandy, Wight of Vernon, Wilkes and Worden—40.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Lamson, Marshall, McAllister, McMillan, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Von Kochtitzky and Williams of Morgan—19.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, O'Bannan of Dallas and Squires—6.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate concurrent resolution No. 23; also,

Substitute for Senate bill No. 101; also,

Senate bill No. 105,

Have had the same under consideration and respectfully recommend that they do pass ;

Which was read.

Senate bill No. 101, entitled

An act to authorize the redemption of Union Military Bonds filed with the State Treasurer,

Was taken up,

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Auer, Bass, Bennett, Bohn, Borg, Bosbyshell, Breazeale, Bradshaw, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle, Edwards, Eubanks, Frost, George Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Kost, Koch, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Randall, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Stancil, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Williams of Audrain and Mr. Speaker—74.

NGES—None.

Absent—Messrs. Applegate, Asher, Barnes, Barrett, Beltrami, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dod, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith, Sorrell, Stone, Walker, Wight of Vernon and Worden—38.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Von Kochtitzky, Williams of Morgan and Wilkes—19.

Sick—Messrs. Gratiot, Hackman, Hammett, and O'Bannan of Dallas and Squires—6.

The title was read and agreed to.

Mr. Shafer moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table ;

Which was agreed to.

Senate concurrent resolution No. 23, entitled

Concurrent resolution to adopt the report of the committee to settle with the State Auditor and Treasurer, and for other purposes, Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barrett, Bass, Bennett, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle,

Edwards, Eubanks, Frost, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Randall, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Stancil, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Williams of Audrain, Worden and Mr. Speaker—77.

NOES—None.

Absent with leave—Messrs. Ballard, Bell, Dent, Doak, Girdner, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Williams of Morgan and Wilkes—19.

Absent—Messrs. Asher, Barnes, Beltrami, Bitteringer, Bradshaw, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dod, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith, Sorrell, Stone, Walker and Wight of Vernon—30.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin and O'Bannon of Dallas—5.

The title was then read and agreed to.

Mr. Shafer moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 105, entitled

An act regulating the State sinking fund,

Was taken up.

On motion, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Bass, Barrett, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Randall, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Shewalter, Sides, Stancil, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Williams of Audrain, Worden and Mr. Speaker—78.

NOES—Mr. Sanford—1.

Absent—Messrs. Asher, Barnes, Beltrami, Bitteringer, Brown of Monroe, Buckham, Buller, Butler, Chilton, Colcord, Dolman, Edens, Fassen, Gates, Gray, Hutt, Kitchen, Latshaw, Maupin, McMillan, Mitchell, Moore of Livingston, Mortell, Mullings, Raney, Ray, Richardson, Sloan, Smith, Sorrell, Stone, Walker and Wight of Vernon—33.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Williams of Morgan and Wilkes—19.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin and O'Bannan of Dallas—6.

The title was then read and agreed to.

Mr. Brown of Howard moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 164, entitled

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two, of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb,"

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Deaf and Dumb Asylum.

Senate bill No. 197, entitled

An act to provide for the assessment of personal property for the year 1871 in all counties where such assessment has not been made for said year,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Joint Committee on Revenue.

Senate bill No. 150, entitled

An act to amend an act entitled an act to incorporate Arcadia High School, approved February 5, 1859,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Education.

Substitute for Senate bill No. 112, entitled

An act amendatory and supplementary to an act entitled an act to incorporate the Farmers' Male and Female Academy Association in the county of Newton, approved November 4, 1857,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Banks and Corporations.

Senate bill No. 113, entitled

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to St. Louis Delegation.

Senate concurrent resolution No. 30, entitled

Concurrent resolution relative to the destruction of plates used for the printing of Union Military Bonds, etc.,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Senate bill No. 120, entitled

An act to amend an act entitled an act to incorporate the town of Ironton, approved February 1, 1859,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Banks and Corporations.

Senate bill No. 99, entitled

An act to amend sections one and seven of chapter twenty-three of the General Statutes, being sections one and seven of chapter one hundred and one of Wagner's Statutes, and entitled "of notaries public;"

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Senate bill No. 115, entitled

An act to prohibit the carrying of deadly weapons;

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Ways and Means.

Senate bill No. 60, entitled

An act to provide for the recovery of money misappropriated by county courts and municipal corporations,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Criminal Jurisprudence.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education to whom was referred

Senate bill No. 56,

Have had the same under consideration and have instructed me to report it back to the House, with the recommendation that it do pass;

Which was read.

Senate bill No. 56, entitled

An act entitled an act to amend an act entitled an act to provide for the reorganization and support of public schools, and revise and amend laws relating thereto, and repeal certain acts and parts of acts,

Was taken up.

On motion, the rules were suspended, the bill read the third time and failed to pass by the following vote:

AYES—Messrs. Adams of Gentry, Alsup, Asher, Auer, Barrett, Bennett, Bittinger, Bohn, Breazeale, Bulkley, Burrows, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Koch, Kost, Langston, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Scoville, Shafer, Sides, Sorrell, Steele, Stone, Van Roden, Wielandy and Worden—64.

NOES—Messrs. Abington, Adams of Butler, Applegate, Bass, Borg, Bosbyshell, Bradshaw, Brown of Howard, Bunch, Burton, Coleman, Davis, George, Hutt, Knott, Leeper, Murphy, Newman, Samuel, Schooley, Stancil, Thomas, Turner and White of Texas—24.

Not voting—Mr. Speaker—1.

Absent—Messrs. Barnes, Beltrami, Brown of Monroe, Buckham, Buller, Butler, Chilton, Dolman, Edens, Fasson, Gray, Hardin, Kitchen, Latschaw, Mitchell, Moore of Livingston, Mortell, Ray, She-walter, Sloan, Smith, Walker, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—26.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires and Von Kochtitzky—17.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, and O'Ban-nan of Dallas—5.

Mr. Knott moved to reconsider the vote by which the bill failed to pass.

Mr. Borg, from the Committee on Immigration, submitted the following report:

MR. SPEAKER: Your Committee on Immigration, to whom was referred

Senate concurrent resolution No 24,

With report of the State Board of Immigration;

Have considered the same, and herewith return it with the recommendation that two thousand copies of said report be printed, five hundred for the use of the members and the remainder for the use of the State Board of Immigration;

Which was read, and

Laid over informally.

Senate concurrent resolution No. 24, entitled

Requiring the State Board of Immigration to report to this General Assembly,

Was taken up, read, and,

Laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred

Senate bill No. 27,

Abolishing the Kansas City court of common pleas,

Have had the same under consideration and have instructed me to report it back to the House with the recommendation that it do pass;

Which was read.

Senate bill No 27, entitled

An act repealing the acts establishing the Kansas City court of common pleas,

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Moore of Stone, Mullings, Murray, Newman, Norris, O'Bannon of Pettis, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Sides, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and Mr. Speaker—82.

NOES—None.

Absent—Messrs. Bohn, Barnes, Beltrami, Bradshaw, Brown of Monroe, Buller, Butler, Chilton, Cloud, Dolman, Edens, Fassen, Kitchen, Latshaw, Leeper, McPike, Mitchell, Moore of Livingston, Mortell, Neal, Pauley, Ray, Scoville, Shewalter, Sloan, Smith, Walker, Wight of Vernon and Williams of Morgan—32.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Lamson, Marshall, McAllister, McMillan, Ming, Murray, Myers, Pope, Sharp, Shields, Von Kochtitzky, Williams of Audrain, Squires and Wilkes—20.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

Mr. Thomas offered the following amendment to the title :

Add to the title as follows :

And to provide for the disposition and custody of the records, papers and proceedings of said court;

Which was read and agreed to.

The title, as amended, was then agreed to.

Mr. Thomas moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Burton, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

Senate bill No. 143, entitled

An act supplementary and amendatory of an act to incorporate the town of Huntsville, approved March 12, 1869,

Have had the same under consideration and report it back to the House with the recommendation that the bill do pass.

Senate bill No. 143, entitled

An act supplementary and amendatory of an act entitled an act to incorporate the town of Huntsville, approved March 12, 1869,

Was taken up.

On motion, the rules were suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bohn, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shafer, Sides, Sorrell, Steele, Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and Mr. Speaker—80.

NOES—None.

Absent—Messrs. Barnes, Beltrami, Bittinger, Borg, Bradshaw, Brown of Monroe, Buller, Butler, Chilton, Cloud, Dolman, Edens, Fassen, Gray, Hickman, Kitchen, Lamson, Latashaw, Marshall, McPike, Mitchell, Moore of Livingston, Mortell, Ray, Scoville, Shewalter, Sloan, Smith, Stancil, Stone, Walker, Wight of Vernon and Williams of Audrain—33.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hardin, Kost, Marshall, McAllister, McMillan, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Williams of Morgan and Wilkes—20.

Sick—Messrs. Abbee, Gratiot, Hackman and Hammett—4.

The title was then read and agreed to.

Mr. Knott moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Claiborne offered the following resolution:

Resolved, That the Committee on Ways and Means be instructed to report on Senate bill No. (1) one, to this House, on Friday next at 10 o'clock;

Which was read and adopted.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: The Committee on Claims to whom was referred Senate bill No. 6,

An act to refund to the German St. Vincent Association, 711 41-100 dollars,

Having had the same under consideration, respectfully recommend that the same do pass.

Senate bill No. 6, entitled

An act to refund to the German St. Vincent Association, 711 41-100 dollars,

Was taken up,

The rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barrett, Bass, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Claiborne, Clark, Colcord, Collier, Crockett, Davis, Dent, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin Mabrey, McMillan, Miller, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sides, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, White of Texas, Worden and Mr. Speaker—85.

NOES—None.

Absent—Messrs. Barnes, Beltrami, Brown of Monroe, Buller, Burton, Butler, Chilton, Cloud, Coleman, Dolman, Edens, Fassen, Goodson, Gray, Kitchen, Latshaw, Mitchell, Moore of Livingston, Ray, Shewalter, Sloan, Smith, Sorrell, Walker, Wight of Vernon and Williams of Audrain—26.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Girdner, Hammett, Lamson, Marshall, McAllister, McPike, Ming, Murray, Myers, Pope, Sharp, Shields, Squires, Von Kochtitzky, Wilkes and Williams of Morgan—20.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Hardin, and O'Bannon of Dallas—6.

The title was then read and agreed to.

Mr. Bosbyshell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table:

Which was agreed to.

On motion of Mr. Neal,

The House adjourned until 10 o'clock, A. M. to-morrow

TUESDAY, MARCH 7, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Martin of St. Louis,
The further reading of the journal was dispensed with.

House bill No. 356, entitled

An act to provide for the opening and repairing of public roads
and repealing all former and existing acts relating to the same,
Was taken up.

Mr. Shafer moved to postpone the further consideration of the bill
to the second Tuesday in January, 1872.

Mr. Haas moved to lay the motion to postpone on the table;
Which was agreed to.

Mr. Brown of Howard, offered the following amendment to the
bill:

Amend by adding to section forty-seven, after the word "roads," in
second line, "two days in each year, and every person owning property
and residing in each road district, shall be liable for one day's
work in such district for every three thousand dollars such person
may own in such road district, as shown by the last assessment roll;"

Which was read.

Mr. Eubanks offered the following amendment to the amendment:

Amend the amendment by striking out the words "three thousand,"
and insert in place thereof the words "one thousand;"

Which was read.

Mr. Neal offered the following substitute:

Substitute for section 47 and the pending amendment:

All able bodied male inhabitants between the ages of twenty-one and fifty years, having resided in the road district one month, shall be subject to work on the public roads, and every person subject to work on roads shall pay a road poll tax of three dollars annually; and for the purpose of opening, repairing, and improving roads, and in order to raise the necessary funds to pay the expenses of any or all of such opening, repairing, or improvements, the county courts of the various counties shall levy a special tax, not exceeding two mills on the dollar of the taxable property of the county, and all property taxable by law, which shall be known as the road tax; said levy to be made at the time and in the same manner as the county revenue is levied hereafter, all property, whether belonging to non-residents or others, subject to pay a county tax, shall be made subject to pay a road tax, and it shall be the duty of the county court to have all road taxes that are levied, both poll or property tax for opening, working, and repairing public roads, placed in a separate column of the State

and county tax books, and collected in like manner, with the same effect as the State and county revenue are or may be by law collected; Which was read.

Mr. Knott moved to reject the amendment,
Pending which,

On motion of Mr. Knott,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 196, entitled

An act authorizing the Chief Clerk of the House of Representatives to cause the portrait of General Nathaniel Lyon, now suspended in the hall of the House of Representatives to be framed, and providing for the paying of the same;

Also, the Senate has taken up and passed House bill No. 183, entitled

An act to amend an act entitled an act to incorporate the city of La Grange, approved February 24th, 1853,

With the accompanying amendment.

In which the concurrence of the House is respectfully requested.

The House resumed the consideration of House bill No. 356, entitled

An act to provide for the opening and repairing of public roads, and repealing all former and existing acts relating to the same.

Mr. Mullings moved to close debate on the pending amendment, and proceed at once to a vote:

Which was agreed to.

Mr. Eubanks' amendment to the amendment,

Amend by striking out the words "three thousand," and insert in place thereof the words "one thousand,"

Was read and not agreed to.

Mr. Brown of Howard's amendment,

Amend by adding to section 47, after the word "roads," in second line, "two days in each year, and every person owning property and residing in each road district shall be liable for one day's work in such

district for every three thousand dollars such person may own in such road district, as shown by the last assessment roll,"

Was read and not agreed to.

The substitute offered by Mr. Neal this morning was not agreed to by the following vote,

Mr. Hooper demanding the ayes and noes :

AYES—Messrs. Adams of Gentry, Asher, Bohn, Buller, Burrows, Clark, Cloud, Crockett, Dent, Dod, Dolman, Fassen, Harmon, Hooper, Kost, Langston, Marshall, Martin of Caldwell, McMillan, Moore of Stone, Mullings, Neal, Pope, Robinson, Scoville, Shafer and Steele—27.

NOES—Messrs. Adams of Butler, Alsup, Applegate, Barrett, Bass, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bunch, Chilton, Claiborne, Colcord, Coleman, Collier, Davis, Dolle, Edens, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Howell, Hobbell, Hutt, Kitchen, Knott, Latshaw, Leach, Leeper, Logan, Marlin, Maupin, Mabrey, Miller, Mitchell, Moore of Livingston, Murphy, Norris, Ranev, Randall, Ray, Sanford, Shewalter, Shields, Sloan, Stancil, Thomas, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—65.

Absent—Messrs. Abington, Auer, Barnes, Brown of Monroe, Bulkley, Burton, Butler, Edwards, Koch, Martin of St. Louis, Mortell, Newman, O'Bannon of Pettis, Pauley, Richardson, Rolston, Samuel, Schooley, Sides, Sorrell, Stone, Turner and Van Roden—22.

Absent with leave—Messrs. Ballard, Bell, Dean, Doak, Hickman, Lamson, McAllister, McPike, Ming, Murray, Myere, Sharp, Smith, Squires, Walker, Wilkes and Williams of Morgan—18.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, and O'Bannon of Dallas—5.

On motion of Mr. Maupin,

The bill was then considered section by section.

Pending the consideration,

The following message was received from the Senate, by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 11, entitled

An act to purchase additional copies of Louis Houck's Edition of the first fifteen volumes of the Missouri Reports, to make an appropriation therefor, to extend the time for the delivery of the same, and to pay to said Louis Houck the twenty per cent. reserved by and under an act entitled an act to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri Reports, approved March 16, 1870;

Also, the Senate has taken up,

House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads,

And passed the same with the accompanying amendment,

In which the concurrence of the House is respectfully requested.

House bill No. 29, entitled

An act to provide for the uniform system of assessing and collecting taxes on railroads,

Was taken up, and the following amendment passed by the Senate:

Amend section sixteen by adding:

And it shall be the duty of the treasurer to transfer the same to the county treasuries in compliance with section five of an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved, March 23, 1868;

Was read and concurred in by the House.

The consideration of House bill No. 356, was resumed.

Mr. Buller offered the following amendment:

Amend section three by striking out the word "fifty," and inserting "sixty;"

Which was read and agreed to.

Mr. McMillan offered the following amendment:

Amend by striking out "thirty," and inserting "forty;"

Which was read and agreed to.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined and find correctly enrolled the following bill:

House bill No. 196, entitled

An act to authorize the Chief Clerk of the House of Representatives to cause the portrait of General Nathaniel Lyon, now suspended in the Hall of the House of Representatives, to be framed, and providing for the payment of the same;

Which was read.

Mr. Martin of St. Louis, of Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval

House bill No. 196, entitled

An act authorizing the Chief Clerk of the House of Representatives, to cause the portrait of General Nathaniel Lyon, now suspended in the Hall of the House of Representatives, to be framed, and providing for the payment of the same;

Which was read.

The House having under consideration,

House bill No. 356,

Mr. Knott introduced the following substitute for section three:

SEC. 3. All public roads hereafter established, shall not be less than forty nor more than sixty feet wide, and no public road now established shall be altered so as to be less than forty nor more than sixty feet wide; *provided, always*, that the county court of any county shall have power, when in their judgment the same shall not be detrimental to the public interest, to authorize the reduction of the minimum width of any particular road or roads therein, or any particular part or parts thereof to not less than twenty feet, upon the written application of five or more householders, resident on or near

such road or roads, and for good cause shown, supported by such satisfactory proof as the court shall require, and certified copy of the order in each such case shall be furnished the overseer of that part of the road thereby affected;

Which was read and agreed to.

Mr. Knott offered the following resolution:

Resolved, That after Senate bills have been disposed of to-morrow evening, House bill No. 442, shall be taken up and considered;

Which was read and adopted.

House bill No. 183, entitled

An act to amend an act to incorporate the city of LaGrange, approved February 24, 1853,

Was taken up.

The following amendment recommended by the Senate:

Amend by striking out all after the word "held," in the twenty-third line of section one, page one, to the word "and" in the second line, second page, section one, and insert the following:

At which the qualified voters of said city shall be allowed to vote;

Which was read and agreed to.

On motion of Mr. Bell,

The House adjourned until 8½ o'clock P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Senate concurrent resolution No. 24, entitled

Requesting the State Board of Immigration to report to this General Assembly,

Was taken up.

On motion, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bunch, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle, Eubanks, Fassen, Frost, Gates, George, Girdner, Good-

son, Gray, Haas, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Scoville, Shafer, Shewalter, Sides, Sloan, Smith, Stancil, Steele, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—95.

NOES—None.

Absent—Messrs. Adams of Gentry, Bell, Beltrami, Bittering, Bulkley, Buller, Burton, Butler, Colcord, Dod, Dolman, Edens, Edwards, Hardin, Hooper, Kitchen, Marlin, Mitchell, Mortell, O'Bannon of Pettis, Ray, Samuel, Schooley, Sharp, Shields, Van Roden and Walker—27.

Absent with leave—Messrs. Ballard, Brown of Monroe, Dean, Doak, Lamson, McPike, Ming, Murray, Sorrell and Williams of Morgan—10.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title was then read and agreed to.

Mr. Borg called up the following resolution reported by the committee, and it was adopted:

Resolved, That two thousand copies of Third Biennial Report of the Board of Immigration of the State of Missouri be printed in pamphlet form, fifteen hundred for the use of the board and five hundred for the use of the House.

(For report see Appendix.)

House bill No. 53, entitled

An act to amend the charter of the city of Saint Joseph,
Was taken up.

The following amendments recommended by the Senate:

Amend by striking out the whole of section one;

Amend by striking out the whole of section two;

Amend by inserting the word "not" between the words "shall" and "be" in the fourth line of the 9th section;

Were read and concurred in.

Leave of absence was granted to Mr. O'Bannon of Pettis for two days.

Substitute for House bill No. 194, entitled

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859,
Was taken up.

The following amendments recommended by the Senate:

Amend by striking out the word "ordinances" in the twelfth line of the first section;

Amend by striking out the words "lumber and building materials" in line nineteen, page two of the first section ;

Amend by striking out the words "or to be transported therefrom" in line twenty-three, of page two of the first section ;

Amend section one by striking out the words "and prohibit" in line six, page three ;

Amend section six by striking out in line six, of page six, the words "fifty cents," and inserting in lieu thereof the words "one dollar;"

Were read and concurred in.

Mr. Latschaw, of the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate bill No. 23, entitled

An act to provide for the investment of balances in the executors' and administrators' and redemption of land funds,

Have had the same under consideration and have requested me to report the same back to the House with the recommendation that it do pass ;

Which was read.

Senate bill No. 23, entitled

An act to provide for the investment of balances in the executors' and administrators' and redemption of land funds,

Was taken up.

On motion, the rules were suspended and read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latschaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Scoville, Shater, Shewalter, Sides, Smith, Stancil, Steele, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—99.

NOES—None.

Absent—Messrs. Adams of Gentry, Bell, Beltrami, Bitteringer, Bulter, Burton, Butler, Colcord, Dolman, Edens, Edwards, Hooper, Kitchen, Mortell, Myers, Ray, Samuel, Schooley, Shields, Sloan, Van Roden and Walker—22.

Absent with leave—Messrs. Ballard, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Sharp, Sorrell and Williams of Morgan—11.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannan of Dallas—5.

The title was read and agreed to.

Mr. Latshaw moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education have had under consideration

Senate bill No. 150,

And have instructed me to report the bill back to the House, with the recommendation that the same do pass.

Senate bill No. 150, entitled

An act to amend an act entitled an act to incorporate Arcadia High School, approved February 5, 1859,

Was taken up and, on motion, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bennett, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Bunch, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Schooley, Scoville, Shafer, Shewalter, Sides, Sloan, Smith, Stancil, Steele, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—100.

NOES—Mr. Sanford—1.

Absent—Messrs. Adams of Gentry, Bell, Beltrami, Bitteringer, Bul-ler, Burton, Butler, Colcord, Dolman, Edens, Edwards, Hooper, Kitchen, Mortell, Ray, Samuel, Shields, Sorrell, Van Roden and Walker—20.

Absent with leave—Messrs. Ballard, Brown of Monroe, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Sharp and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannan of Dallas—5.

The title of the bill was read and agreed to.

Mr. Leeper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your committee to whom was referred

Senate bill No. 44,

To pay Captain Lehman's company of Enrolled Missouri Militia, Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do pass;

Which was read.

Senate bill No. 44, entitled

An act for the payment of Capt. Lehman's company of Missouri Militia,

Was taken up.

On motion, the rules suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abington, Alsup, Asher, Auer, Barrett, Bass, Bennett, Bittering, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Burrows, Claiborne, Clark, Cloud, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, Goodson, Haas, Hardin, Harmon, Hickman, Howell, Hubbell, Knott, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Sloan, Steele, Stone, Thomas, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes and Worden—86.

NOES—Messrs. Adams of Butler, Applegate, Barnes, Bell, Buller, Chilton, Collier, George, Girdner, Gray, Hutt, Marshall, Smith, Stancil, Squires, Turner and White of Texas—17.

Absent—Messrs. Adams of Gentry, Beltrami, Burton, Butler, Colcord, Coleman, Dolman, Edens, Edwards, Hooper, Kitchen, Ray, Samuel, Shields, Van Roden, Walker and Williams of Audrain—17.

Absent with leave—Messrs. Ballard, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Sharp, Sorrell and Williams of Morgan—11.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

Not voting—Mr. Speaker—1.

The title was read and agreed to.

Mr. Richardson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Stone, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your committee on St. Louis Delegation, to whom was referred

Senate bill No. 113,

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park,

Have had the same under consideration and respectfully recommend that it do pass;

Which was read.

Senate bill No. 113, entitled

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsop, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Chilton, Claiborne, Clark, Clond, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Randall, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, Shewalter, Sides, Sloan, Smith, Stancil, Steele, Stone, Squires, Thomas, Turner, Von Koehitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—105.

NOES—None.

Absent—Messrs. Adams of Gentry, Beltrami, Burton, Butler, Colcord, Dolman, Edens, Edwards, Hooper, Kitchen, Raney, Samuel, Shields, Van Roden and Walker—15.

Absent with leave—Messrs. Ballard, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Ray, Sharp, Sorrell and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

Which was agreed to.

Mr. Knott, from the Committee on Revenue, submitted the following report:

MR. SPEAKER: Your Committee on Revenue, to whom was referred

Senate bill No. 197,

Have had the same under consideration, and respectfully beg

leave to report the same back to the House with the recommendation that the bill do pass;

Which was read.

Senate bill No. 197, entitled

An act to provide for the assessment of personal property for the year 1871, in all counties where such assessment has not been made for said year,

Was taken up.

On motion, rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckingham, Bulkley, Buller, Bunch, Burrows, Ohilton, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, She-walter, Sides, Sloan, Smith, Stancil, Steele, Stone, Squires, Turner, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes Williams of Audrain, Worden and Mr. Speaker—101.

NOES—Messrs. Asher and Thomas—2.

Absent—Messrs. Adams of Gentry, Beltrami, Bennett, Burton, Butler, Colcord, Coleman, Dolman, Edens, Edwards, Hooper, Kitchen, Leeper, Samuel, Shields, Van Roden and Walker—17.

Absent with leave—Messrs. Ballard, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Ray, Sharp, Sorrell and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title was read and agreed to.

Mr. Rolston moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

Senate bill No. 96, entitled

An act to amend an act entitled an act to locate and dispose of the Congressional land grant of July 2, 1862, to endow, support and maintain schools of agriculture and the mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, approved February 24, 1870,

Was taken up.

Mr. Alsup offered the following amendment:

Amend section one by striking out all after the word "price," in the 18th line, to the word "sale," in the 21st line;

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out all after the word "curators," in the 13th line, to the word "sale," in the 21st line;

Which was read and not agreed to.

Mr. Bell offered the following amendment:

Amend section 1, line 32, by striking out "two dollars and a half," and insert "two dollars per day;"

Which was read.

Mr. Asher moved to reject.

Mr. Bell demanding the ayes and noes, the motion to reject was agreed to by the following vote:

AYES—Messrs. Applegate, Asher, Auer, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Brown of Howard, Bulkeley, Buller, Burrows, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, Haas, Hardin, Harmon, Hickman, Hutt, Koch, Langston, Latshaw, Leach, Logan, Marlin, Martin of St. Louis, Maupin, Mabrey, McMillan, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Newman, Pope, Richardson, Robinson, Rolston, Sanford, Scoville, Shewalter, Sides, Sloan, Smith, Steele, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon and Wilkes—73.

NOES—Messrs. Adams of Butler, Alsup, Barnes, Bohn, Breazeale, Buckham, Bunch, Chilton, Coleman, Dolman, George, Girdner, Gray, Hubbell, Kost, Leeper, Marshall, Martin of Caldwell, McAllister, Norris, Pauley, Raney, Randall, Schooley, Shafer, Stancil and Worden—27.

Not voting—Mr. Speaker—1.

Absent—Messrs. Abington, Adams of Gentry, Beltrami, Brown of Monroe, Burton, Butler, Edens, Edwards, Goodson, Hooper, Howell, Kitchen, Miller, Murphy, Samuel, Shields, Van Roden, Walker and Williams of Audrain—19.

Absent with leave—Messrs. Ballard, Dean, Doak, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Ray, Sharp, Sorrell and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

Mr. Leeper offered the following amendment:

Amend section 1, line 30, by striking out all after the word "act," and inserting "five dollars per day and expenses, which shall not be more than two dollars per day;"

Which was read, and,

On motion of Mr. Claiborne,

Was rejected.

Mr. Shafer offered the following amendment:

Amend by striking out all after "officers," in 28th line, to "manner," in 31st line;

Which was read, and,

On motion of Mr. Colcord,

Was rejected.

Mr. Shafer offered the following amendment:

Strike out "18," in 1st line, and insert "19,"

Which was read, and,

On motion of Mr. Neal,

Was rejected.

Mr. Leeper offered the following amendment:

Amend by striking out section two;

Which was read, and,

On motion of Mr. Colcord,

Was rejected.

Mr. Shafer offered the following amendment:

Amend by striking out the enacting clause;

Which was read.

Mr. Latshaw moved to reject;

Which was agreed to.

Mr. Frost offered the following amendment:

Amend section 1, first line by striking out "18," and inserting "19,"

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Applegate, Asher, Auer, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckham, Burrows, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Dolle, Dolman, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Howell, Hutt, Knott, Koch, Latshaw, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Mitchell, Moore of Livingston, Mullings, Myers, Neal, Newman, Pauley, Pope, Randall, Richardson, Robinson, Sanford, Scoville, Shewalter, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, Wight of Vernon, Worden and Mr. Speaker—70.

NOES—Messrs. Adams of Butler, Alsop, Bradshaw, Buller, Bunch, Kost, Langston, Leeper, Logan, Martin of Caldwell, Miller, Moore of Stone, Norris, Rolston, Schooley, Shafer, Sloan and Steele—18.

Absent—Messrs. Abington, Adams of Gentry, Barnes, Beltrami, Breazeale, Brown of Monroe, Bulkley, Burton, Butler, Chilton, Coleman, Dod, Edens, Edwards, Hooper, Kitchen, Leach, Marlin, Mortell, Murphy, Kanev, Ray, Samuel, Shields, Stancil, Sides, Smith, Van Roden, Walker, White of Texas, Wilkes and Williams of Audrain—38.

Absent with leave—Messrs. Ballard, Dean, Doak, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettit, Sharp, Sorrell and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title was read and agreed to.

Mr. Colcord moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Leave of absence was granted to Mr. Hubbell until next Monday.

Mr. Stone moved a call of the House;

Which was agreed to.

Mr. Olaiborne moved to dispense with further proceedings under the call of the House;

Which was agreed to.

On motion of Mr. Bennett,

The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, MARCH 8, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,

On motion of Mr. Randall,

The further reading of the journal was dispensed with.

The House resumed the consideration of

House bill No. 356, entitled

and An act to provide for the opening and repairing of public roads, and repealing all former and existing acts relating to same.

Mr. Knott offered the following amendment:

Amend section four by striking out all after the word "height," in third line, up to and including the word "whatever" in fourth line; Which was read and agreed to.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 183, entitled

An act to amend an act entitled an act incorporating the city of LaGrange, approved February 24, 1853.

House bill No. 11, entitled

An act to purchase additional copies of Louis Houck's edition of the first fifteen volumes of the Missouri Reports, to make an appro-

priation therefor, to extend the time for the delivery of the same, and to pay to said Louis Houck the twenty per cent. reserved by and under an act entitled an act to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri Reports, approved March 16, 1870;

Which was read.

Mr. Martin, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that Senate bills of the following titles have been presented to the Governor for his signature, to wit:

An act regulating the State sinking fund.

An act to authorize the redemption of Union Military Bonds filed with the State Treasurer.

An act to refund to the German St. Vincent Orphan Association \$711 41-100.

An act supplementary and amendatory of an act entitled an act to incorporate the town of Huntsville, approved March 12, 1859.

Also, Senate concurrent resolution to adopt the report of the committee to settle with the State Auditor and Treasurer, and for other purpose.

Which was read.

The following message was received from the Senate, by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has again taken up

House substitute for House bills Nos. 71, 133 and 268, entitled

An act to provide for a uniform registration of voters, for appointment of judges of election, and to repeal all former acts relating thereto;

And insists on both of its amendments which were disagreed to by your body;

Which was read.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up and passed

House concurrent resolution No. 30, entitled

Concurrent resolution authorizing the State Librarian to dispose of certain books;

Also, House bill No. 88, entitled

An act to amend sections seven of title six, chapter fourteen, of the General Statutes in relation to the State interest and State sinking fund, with the accompanying amendment;

House bill No. 66, entitled

An act to amend section two of an act entitled an act to sell the claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond.

There has also been introduced into the Senate and passed that body,

Senate bill No. 88, entitled

An act to establish certain county boundaries and make and plat the same.

In which the concurrence of the House is respectfully requested.
Which was read.

The House resumed the consideration of
House bill No. 356,

Mr. Neal offered the following amendment:

Amend by way of new section, as section eighty-three:

Sec. 83. This act shall only apply to such counties as may, by a majority vote of the people at a general election, decide to adopt the same, and be governed by it, and the present road laws now in force shall not be affected by this act, except as to such counties as may adopt this law;

Which was read, and
Passed over informally.

Mr. Haas offered the following amendment:

Amend section five by striking out the word "twenty-five," in line two, and inserting "fifty;"

Which was read and not agreed to.

Mr. Randall offered the following amendment:

Substitute for section five and amendments:

"No bridge shall be built by the overseer and hands that shall be less than fifteen feet wide, nor that cost over fifty dollars;"

Which was read and not agreed to.

Mr. Goodson offered the following amendment:

Amend section five, between the word "bridge" and "or," in the first line of section five, insert the word "causeway;"

Which was read and agreed to.

Mr. Dod offered the following amendment:

Amend section six, line three, by inserting the word "width" after the word "proposed;"

Which was read and not agreed to.

Mr. Brown of Howard offered the following amendment:

Amend by striking out the words "twenty days," in second line, and insert "two months;"

Which was read, and,

On motion of Mr. Newman,

Was rejected.

Mr. Marshall offered the following amendment:

Amend by adding at the end of section seven as follows:

"Provided, that no petition for a new road shall be presented or considered at any other than a regular term of the county court;"

Which was read and agreed to.

Mr. Buller offered the following amendment:

Amend section seven by inserting after the word "townships" the following, "and by a copy thereof put up in the office of the clerk of the county court;"

Which was read and agreed to.

Mr. Neal offered the following amendment:

Amend section eight at end thereof, as follows:

"Who shall have such compensation as the county court may allow, not to exceed two dollars per day each;"

Which was read and agreed to.

Mr. Marshall offered the following amendment:

Amend section eight by adding thereto the following:

"Provided, however, that in case of the presentation to such court of a remonstrance in writing against the location of such road, signed by at least ten householders of the township or townships through

which it is proposed such road shall pass, the court may continue the cause until the next regular term of such court for the purpose of hearing the evidence to be adduced for and against the utility of the proposed road, and may, after the hearing of such evidence (if it appear that a preponderance is against such road), refuse to order the viewing or surveying of such road, and in such case shall enter up judgment against the petitioners for such road, for all costs and expenses attending the whole proceeding, after filing of the petition, and award an execution therefor, and in case such court shall decide in favor of the location of such road, then judgment and execution shall be awarded against those signing such remonstrance;

Which was read, and

Withdrawn with the consent of the House.

Mr. Asher offered the following amendment:

Amend section eight, line two, by striking out the word "shall," and insert "may, in their discretion;"

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend section eight by striking out all after the word "section," in the second line, and add as follows, "by the affidavit of a disinterested witness, shall appoint one disinterested householder of the county as commissioner;"

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend section twelve by adding the words "and practicable," after the word "good" in fourth line;

Which was read and agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out all after the word "obtained" in third line;

Which was read and not agreed to.

Mr. Marshall offered the following amendment:

Amend section thirteen by striking out all after the word "surveyor" in second line, and add in lieu thereof as follows: "and shall in such case, themselves act as chainmen, but receive no additional fee therefor;"

Which was read and not agreed to.

Mr. Shafer offered the following substitute:

Substitute for section thirteen:

"The commissioners shall have power to call to their aid the county surveyor, and chainmen, if necessary;"

Which was read and not agreed to.

Mr. Neal offered the following amendment:

Amend by striking out all after "aid" in line one, and before "chainmen" in second line;

Which was read and not agreed to.

Mr. Cloud offered the following amendment:

Amend section thirteen by adding after the word "necessary," at close of section, as follows: "who shall receive such pay as the county court may deem proper, not to exceed two dollars per day;

Which was read and not agreed to.

Mr. Thomas offered the following amendment:

Amend by adding, "not to exceed one dollar and fifty cents per day for each chainman, and five dollars per day for the surveyor;"

Which was read and not agreed to.

On motion of Mr. Newman,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

By leave of the House, Mr. Buller introduced a bill entitled
An act to audit the war debt of the State of Missouri;
Which was read the first time, the rules suspended, read the second time, and on motion,
Referred to Committee on Claims.

By leave, Mr. Brown of Howard, introduced a bill entitled
An act to authorize the extension of the corporate limits of towns and cities;
Which was read the first time, the rules suspended, read the second time.

By leave of the House, Mr. Kost presented a petition from Robt. Williams, *et al.*, citizens of Daviess county, praying for relief as sureties of James I. Minor, late sheriff of Daviess county;
Which was read, and referred to Committee on Judiciary.

By leave, Mr. Burrows introduced a bill entitled
An act to amend an act entitled an act to incorporate the town of Princeton, in Mercer county, Missouri, approved March 1, 1855;
Which was read the first time, the rules suspended, read the second time.

By leave, Mr. Gates presented a petition from citizens of Independence, praying for a change in the boundary lines of said city;
Which was read and referred to the Committee on Local Bills.

By leave of the House, Mr. Gates introduced a bill entitled
An act to reduce the law incorporating the city of Independence, Missouri, and the several acts amendatory thereof into one act, and to amend the same;
Which was read the first time, the rules suspended, read the second time.

By leave of the House, Mr. Richardson introduced a bill entitled
An act to amend section thirty-seven of chapter forty-one, article four of Wagner's Statutes of Missouri;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

By leave, Mr. Bohn introduced a bill entitled
An act supplemental to an act entitled an act to define the limits of and fix the time for holding courts in the fourteenth and twenty-second judicial circuits, approved February 24, 1871;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Judiciary.

By leave, Mr. Maupin introduced a bill entitled
 An act to establish a probate court in Saline county,
 Which was read the first time, the rules suspended, read the second time.

By leave, Mr. Latshaw introduced a bill entitled
 An act to authorize the county courts of counties wherein any circuit court is established to be held at places other than the county seat, to provide permanent county buildings at such places;
 Which was read the first time, the rules suspended, read the second time and laid over informally.

By leave, Mr. Davis presented a petition from citizens of Camden and Miller counties, asking for the establishment of Glaze county;
 Which was read and referred to the Committee on County Boundaries.

By leave, Mr. Gates introduced a bill entitled,
 An act to appropriate money for the penitentiary;
 Which was read the first time, the rules suspended, read the second time, and, on motion,
 Referred to the Committee on Penitentiary.

By leave of the House, Mr. Wright of Vernon, introduced a bill entitled

An act to abolish the office of circuit and assistant circuit attorney, and to provide for the election of county and assistant county attorneys in this State;
 Which was read the first time, the rules suspended, read the second time, and, on motion,
 Referred to Committee on Criminal Jurisprudence.

The House resumed the consideration of
 House bill No. 356, entitled

An act to provide for the opening and repairing of public roads, and repealing all former and existing acts relating to same.

Mr. Buller offered the following amendment:

Amend section fourteen by striking out the words "as may be deemed important," and insert "as shall be sufficient to determine the location of the road;"

Which was read and agreed to.

Mr. Shafer offered the following amendment:

Amend section fourteen by inserting after the word "next," in the fifth line the word "regular;"

Which was read and not agreed to.

Mr. Scoville offered the following amendment:

Amend section fifteen by striking out the words "and tenant" in third line;

Which was read and agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out the word "regular," in the second line;

Which was read and not agreed to.

Mr. Hardin offered the following amendment:

Amend by striking out in the third line, "or their;"

Which was read and agreed to.

Mr. Neal offered the following amendment:

Amend by adding by saying, "or he,"

Which was read and agreed to.

Mr. Scoville offered the following amendment:

Amend section sixteen by striking out the words, "and tenants," in second line;

Which was read and agreed to.

Mr. Shafer offered the following amendment:

Amend by adding to the section, "which said summons shall be served in the same manner as summons in ordinary civil cases are served;"

Which was read and rejected.

Mr. Buller offered the following amendment:

Amend by inserting after the word "owners," in line two, or tenants if the owner does not reside thereon, or in the neighborhood.

Mr. Wilkes offered the following amendment:

Amend section seventeen, with this proviso: *Provided, however,* that nothing in this section shall be so construed as to allow any damage to non-residents land owners;

Which was read and not agreed to.

Mr. Thomas offered the following amendment:

Amend section seventeen by adding: "Within ten days after the filing of said report the clerk of the county court shall give due notice to the parties concerned, by publication for three successive weeks, in some newspaper published in said county, or in case no such paper be published in the county, by posting six or more hand-bills in said county at least three weeks before the regular term of the court at which the case may be heard and determined; such notice to be in the nature and have the force and effect of a regular summons to the parties in interest, designating such owners by name, and in case of minors, making the guardian of such minors a party in the case, to show cause at said regular term of the county court why said land should not be condemned for public use in the terms set forth in said report; and in proof of notice as aforesaid, the said county court may, at said regular term, proceed to adjudicate and determine the matter; and in default of appearance or sufficient answer on the part of the parties in interest, said court may proceed to approve the report aforesaid, and condemn said land for public use in conformity therewith;"

Which was read and agreed to.

Mr. Marshall offered the following amendment:

Amend section twenty, by adding after the word "his" in third line, the words "or her."

Which was read and agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out all after "objection" in fifth line;

Which was read and not agreed to.

Mr. Cloud offered the following amendment:

"Said jury shall be selected from the body of the county by the sheriff."

Which was read and not agreed to.

Mr. Thomas offered the following amendment:

Add "in assessing the damages under this act the jury or commissioner shall take into consideration the advantages as well as the disadvantages of the location of any public road;"

Which was read and agreed to.

Mr. Buller offered the following amendment:

Amend section twenty-one, by inserting after the word "county," in line three, the words "or the petitioners for the road in the discretion of the court;"

Which was read and not agreed to.

SEC. 22. Amend after the word "road" by inserting the word "one;"

Which was read and not agreed to.

Mr. Bulkley offered the following amendment:

Insert after the word "run," in second line, "who live within one mile of the rout of the proposed road;"

Which was read and not agreed to.

Mr. Knott called up

Substitute for House bills Nos. 71, 133 and 268, with Senate amendments, entitled

An act to provide for the uniform registration of voters, the appointment of judges of election and repealing all former acts relating thereto.

Mr. Mulling moved that the House insist upon its disagreement to first amendment;

Which was read and not agreed to.

Mr. Claiborne moved that the House recede from its disagreement.

Mr. Leeper demanding the ayes and noes, the motion was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bohn, Bradshaw, Breazeale, Buckham, Bulkley, Bullor, Burrows, Claiborne, Cloud, Clark, Collier, Crockett, Dent, Dod, Dolman, Edwards, Eubanks, Girdner, Haas, Hooper, Howell, Kitchen, Knott, Koch, Kost, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Neal, Newman, Pope, Raney, Randall, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Stancil, Steele, Squires, Thomas, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—76.

NOES—Messrs. Alsop, Bosbyshell, Bunch, Chilton, Colcord, Coleman, Davis, Dolle, Frost, George, Goodson, Gray, Harmon, Hickman, Leeper, Marshall, Miller, Mullings, Norris, Samuel, Sanford, Turner and Von Kochtitzky—23.

Absent—Messrs. Borg, Brown of Monroe, Burton, Butler, Clark, Edens, Fassen, Gates, Hardin, Hutt, Maupin, Pauley, Ray, Richardson, Walker and Wielandy—16.

Absent with leave—Messrs. Bell, Bittinger, Brown of Howard, Dean, Doak, Hubbell, Lamson, McMillan, McPike, Ming, Murphy, Myers, O'Bannen of Pettis, Sorrell, Stone, Van Roden and Williams of Morgan—17.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, and O'Bannan of Dallas—5.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled,

House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads;

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval

House bill No. 183, entitled

An act to amend an act entitled an act to incorporate the city of LaGrange, approved February 24, 1853;

House bill No. 11, entitled

An act to purchase additional copies of Louis Houck's edition of the first fifteen volumes of the Missouri Reports, to make an appropriation therefor, to extend the time for the delivery of the same, and to pay to said Louis Houck the twenty per cent. reserved by and under an act entitled an act to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri Reports, approved March 16, 1870;

Also House bill No. 29, entitled

An act to provide for a uniform system of assessing and collecting taxes on railroads;

Which was read.

Mr. Claiborne moved that the House recede from its disagreement to second Senate amendment to substitute for

House bills Nos. 71, 133 and 268.

Mr. Leeper demanding the ayes and noes, the motion was agreed to by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Barnes, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Claiborne, Colcord, Coleman, Collier, Crockett, Dent, Dod, Dolle, Dolman, Edwards, Fassen, George, Haas, Hardin, Harmon, Hickman, Hooper, Hutt, Kitchen, Knott, Koch, Kost, Langston, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Myers, Neal, Newman, Raney, Randall, Richardson, Rolston, Schooley, Seoville, Shafer, Sharp, Shewalter, Sides, Sloan, Stancil, Stone, Squires, Wight of Vernon, Wilkes, Williams of Andrain and Worden—75.

Not voting—Mr. Speaker—1.

NOES—Messrs. Abington, Alsup, Ballard, Bass, Barrett, Bradshaw, Breazeale, Brown of Monroe, Bunch, Chilton, Cloud, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Howell, Latshaw, Leeper, Marshall, Miller, Mullings, Norris, Samuel, Sanford, Shields, Smith, Steele, Thomas, Turner, Von Kochtitzky and White of Texas—33.

Absent—Messrs. Borg, Burton, Butler, Clark, Davis, Edens, Mc-Millan, Pauley, Ray and Wielandy—8.

Absent with leave—Messrs. Abbee, Dean, Doak, Hubbell, Lamson, McPike, Ming, Murray, O'Badnon of Pettis, Sorrell, Van Roden and Williams of Morgan—12.

Sick—Messrs. Gratiot, Hackman, Hammett and O'Bannan of Dallas—4.

On motion of Mr. Shafer,
The House adjourned until 7½ o'clock, p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the following entitled bills have been introduced into and passed the Senate:

Senate bill No 90, entitled

An act entitled an act to create an Insurance Department, approved March 4, 1869, amended and approved March 24, 1870;

And Senate bill No. 106, entitled

An act to amend chapter sixty-three of the General Statutes, entitled "of railroad companies," by adding certain sections thereto.

In which the concurrence of the House is respectfully requested.
Which was read.

Mr. Von Kochtitzky introduced a bill entitled

An act to provide for the payment of the Enrolled Missouri Militia for services during the war;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Joint Committee on Military Claims.

Mr. Brown of Howard, introduced a bill entitled

An act to change the boundary line between Chariton and Randolph counties, and amending section eleven and thirty-seven of chapter thirty-four, General Statutes of Missouri;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

Senate bill No. 88, entitled

An act to establish certain county boundaries, and mark and plat the same,

Was taken up, read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on County Boundaries.

House bill No. 38, entitled

An act to amend section seven of title six, chapter fourteen, General Statutes, in relation to the State interest fund and State sinking fund,

Was taken up.

The following amendments recommended by the Senate :

Amend by striking out all after the enacting clause and insert in lieu therefor the following :

SECTION 1. The fund commissioners are hereby required to correspond with the National Bank of Commerce in New York city and ascertain why the commission of one-fourth of one per centum now allowed the bank by law for paying the interest on the State indebtedness ought not to be reduced to one-tenth of one per centum.

Amend title by striking out the same and insert in lieu therefor the following :

An act to further define the duties of the fund commissioners ;
Were read.

Mr. Marshall moved that the House do not concur in the amendments ;

Which was agreed to.

House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri, in her own right and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri (now the National Bank of the State of Missouri) to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said Auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the State Auditor to draw warrants in favor of the National Bank of the State of Missouri, and of James B. Eads, for certain monies due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants,

Was taken up, the rules suspended, and read the second time.

Mr. Moore from Livingston submitted an amendment in the form of a substitute for the bill.

Mr. McMillan moved to postpone the further consideration of House bill No. 442, and the substitute of Mr. Moore from Livingston for the same, until to-morrow at 7½ o'clock, P. M.

Mr. Auer moved to amend by postponing to 7½ o'clock, P. M., on Monday, the 13th inst. ;

Which was not agreed to.

The motion of Mr. McMillan was agreed to.

Senate bill No. 106, entitled

An act to amend chapter sixty-three of the General Statutes, entitled "of railroad companies," by adding certain sections thereto,

Was taken up and read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Internal Improvements.

Senate bill No. 90, entitled

An act to amend an act entitled an act to create an Insurance Department, approved March 4, 1869, amended and approved March 24, 1870,

Was taken up and read the first time, the rules suspended, read the second time and on motion,

Referred to Committee on Insurance.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on the Judiciary, to whom was referred

Senate bill No. 30, entitled

An act in relation to courts,

Beg leave to report that they have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass, as amended by them.

Which was read.

Senate bill No. 30, entitled

An act in relation to courts,

Was taken up.

The following amendment recommended by the committee:

Amend section two, by adding: "And when the county court of any county shall have made an order of record, designating the place at which the courts of said county shall be held, as provided in this section, then the place so designated shall thereafter be known as the court-house of said county, until such time as a more suitable place may be provided;"

Which was read once and twice and adopted.

Amend section two by striking out the words "suitable, safe and convenient," and insert in lieu thereof the word "safe," in the first line of said section, after the word "no;"

Which was read once and twice and adopted..

On motion, the rules were suspended, the bill read the third time as amended, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burrows, Chilton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dölle, Dolman, Edwards, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Hutt, Kitchen, Knott, Kost, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Mortell, Mullings, Myers, Neal, Norris, Pope, Raney, Randall, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Sides, Sloan, Smith, Stancil,

Steele, Stone, Thomas, Turner, Von Kochtitzky, Wight of Vernon, Worden and Mr. Speaker—94.

NOES—Messrs. Rolston, Shafer and Shields—3.

Absent—Messrs. Breazeale, Buller, Bunch, Burton, Butler, Clark, Edens, Frost, Howell, Koch, Leeper, Martin of St. Louis, Maupin, Moore of Stone, Murphy, Newman, Pauley, Ray, Squires, Walker, Wielandy, White of Texas and Williams of Audrain—23.

Absent with leave—Messrs. Dean, Doak, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Serrell, Van Roden and Williams of Morgan—11.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, O'Bannan of Dallas and Wilkes—6.

The title of the bill was read and agreed to.

Mr. Knott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: The Committee on Internal Improvements, to whom was referred

Senate bill No. 20,

An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868, Having had the same under consideration, respectfully recommend that the same do pass;

Which was read.

Senate bill No. 20, entitled

An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868, being section fifty-two of article two of chapter thirty-seven of Wagner's Statutes,

Was taken up.

Mr. Worden offered the following amendment:

Amend by adding: "Provided, that all moneys and credits shall be exempted from this law;"

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Gentry, Alsup, Asher, Auer, Barnes, Bass, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Bunch, Burrows, Claiborne, Cloud, Colcord, Crockett, Davis, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Gates, Girdner, Goodson, Gray, Hardin, Harmon, Hooper, Hutt, Knott, Kost, Langston, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Norris, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Sharp, Sides, Steele, Stone, Thomas, Von Kochtitzky, White of Texas and Mr. Speaker—74.

NOES—Messrs. Adams of Butler, Applegate, Ballard, Barrett, Beltrami, Bennett, Bradshaw, Bulkley, Chilton, Coleman, Collier, Fassen, George, Haas, Hickman, Latshaw, Leeper, Sanford, Sloan, Stancil, Turner and Worden—22.

Absent—Messrs. Bell, Breazeale, Burton, Butler, Edens, Frost, Howell, Kitchen, Koch, Maupin, Murphy, Pauley, Ray, Shafer, Shewalter, Shields, Smith, Squires, Walker, Wielandy, Wilkes and Williams of Audrain—22.

Absent with leave—Messrs. Dean, Doak, Hubbell, Lamson, Murray, O'Bannon of Pettis, Sorrell, Van Roden, and Williams of Morgan—9.

Sick—Messrs. Abbee, Clark, Gratiot, Hackman, Hammett, McPike, Ming, Newman and O'Bannan of Dallas—10.

The title was read

Mr. Hooper offered the following amendment :

Amend the title of the bill by adding the following :

And to limit the amount of stock which any city, incorporated town, or municipal township may subscribe for railroads.

Which was read and agreed to.

The title as amended was agreed to.

Mr. Shields offered the following resolution :

Resolved, That the Commissioner on Permanent Seat of Government be and he is hereby instructed to procure immediately enough lamps to fill the brackets therefor on the sides of the hall, and the vacant chandeliers, for the purpose of more thoroughly lighting the hall for its night sessions, the same to be paid for out of the House contingent fund ;

Which was read and adopted,

Mr. Richardson, from the Committee on Claims, submitted the following report :

MR. SPEAKER : Your Committee on the Claims, to whom was referred

Senate bill No. 15,

An act to refund money to the board of managers of the Roman Catholic male and female orphan asylum,

Having had the same under consideration, respectfully recommend that the bill do pass ;

Which was read.

Senate bill No. 15, entitled

An act to refund money to the board of managers of the Roman Catholic male and female orphan asylum,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bulger, Bunch, Burrows, Chilton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Dolman, Edwards, Eubanks,

Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Hutt, Kitchen, Knott, Kost, Langston, Latshaw, Leeper, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Mortell, Mullings, Myers, Norris, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Sides, Stancil, Steele, Thomas, Turner, Wight of Vernon and Mr. Speaker—93.

NOES—Messrs. Marshall, Moore of Stone and Worden—3.

Absent—Messrs. Edens, Howell, Koch, Leach, Maupin, Murphy, Neal, Pauley, Shewalter, Sloan, Smith, Stone, Squires, Von Kochtitzky, Walker, Wielandy, White of Texas and Williams of Audrain—18.

Absent with leave—Messrs. Burton, Dean, Doak, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Ray, Sorrell, Van Roden and Williams of Morgan—13.

Sick—Messrs. Abbee, Butler, Clark, Gratiot, Hackman, Hammett, Newman, O'Bannon of Dallas, Shafer and Wilkes—10.

The title was read and agreed to.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred

House bill No. 240,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 240, entitled

An act to refund to the St. Vincent free school of St. Louis two hundred and fifty-nine dollars and thirty cents,

Was taken up.

On motion the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Ohlton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Hutt, Kitchen, Knott, Kost, Langston, Latshaw, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Norris, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sides, Stancil, Steele, Stone, Thomas, Turner, Von Kochtitzky, Wight of Vernon, Worden and Mr. Speaker—96.

NOES—None.

Absent—Messrs. Abington, Adams of Butler, Breazeale, Burton, Butler, Edens, Frost, Howell, Koch, Leach, Leeper, Maupin, Murphy, Pauley, Ray, Shewalter, Sloan, Smith, Walker, Wielandy and White of Texas—21.

Absent with leave—Messrs. Dean, Doak, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Sorrell, Van Roden, Williams of Audrain and Williams of Morgan—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, Newman, O'Bannan of Dallas, Squires and Wilkes—8.

The title was then read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Leave of absence was granted to Mr. Colcord for two days.

On motion of Mr. Bennett,
The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, MARCH, 9, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Rev. Mr. Pugh.

The journal of yesterday was being read, when,
On motion of Mr. Bennett,
The further reading of the journal was dispensed with.

The House resumed the consideration of
House bill No. 356, entitled

An act to provide for the opening and repairing of public roads,
and repealing all former and existing acts relating to same.

Mr. Thomas offered the following substitute for section 23:

Upon the filing of the report of the last named commissioners, the county court shall, from both reports, determine whether the proposed road is of sufficient public utility to justify its establishment, and shall make an order accordingly; and if the road be established, the objectors shall pay all costs occasioned by the second commission, and if the road be not established, the petitioners shall pay the costs;

Which was read and not agreed to.

Mr. Eubanks offered the following amendment:

Amend the amendment by inserting, immediately after the word "reports," the words "and the evidence then produced;"

Which was read and not agreed to

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 416, entitled

An act to repeal an act to establish a court of common pleas in the county of Saline, approved March 11, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas;

Which was read.

The House resumed the consideration of House bill No. 356.

Mr. Buller offered the following amendment:

Amend by striking out section 23;

Which was read and agreed to.

Mr. Goodson offered the following amendment:

Amend by adding, between the word "assessed," in the third line of section 24, and the word "as," or if the petitioners will pay such damage and cost and expense of opening said road;

Which was read and not agreed to.

Mr. Thomas offered the following amendment:

Add to section 24, "and if the road be not established, the objectors shall pay all costs occasioned by the last commission;

Which was read and not agreed to.

Mr. Buller offered the following amendment:

Amend by striking out "and," and inserting after the word "opened," in line 3, "and may in its discretion adjudge the petitioners to pay the damages and costs attending the opening of the road, and upon tender and payment of such damages and costs;"

Which was read and not agreed to.

Mr. Marshall offered the following amendment:

Amend section 25 by adding, after the word "road," in the second line thereof, the following: "with the written consent obtained, as provided in section 15 of this act;

Which was read not agreed to.

Mr. Buller offered the following amendment:

Amend section 25 by adding thereto the following, to wit: "And whenever by reason of the loss or destruction of the field notes of the original survey, or in case of defective surveys or record, or of such numerous alterations of the location of any public highway in actual use since the original survey or order for the opening of the same was made, that its location cannot be accurately determined by the record or papers on file in the proper office, or where any road

shall have been in actual use as a public highway, uninterrupted except where turned by fences, for more than five years next preceding, the county court, upon petition of ten or more householders living on the line of such road, may cause such road, as originally laid out, or the line thereof in actual use, to be surveyed by the county surveyor, platted and recorded in the manner required by this act in case of laying out new roads; *provided*, that at the next term after the filing of the plat and field notes of such survey of an old road, in the office of the clerk of the county court, such court or the clerk thereof in vacation, shall cause at least thirty days' notice to be given by advertisement in some newspaper published in the county, or if there is no newspaper, then by three written or printed handbills put up in public places, one in said office and the others along the line of said road, setting forth that the plat and survey of such road, naming it by its usual designation, and stating the points of beginning and termination thereof are so on file, and that unless objection are made at the next term the same will be approved and affirmed;”

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out the words “or any justice thereof in vacation;”

Which was not agreed to.

Mr. Brown of Howard rose to a privileged question, and on his motion, the vote by which the title to Senate bill No. 20, was agreed to, was reconsidered.

Mr. Brown of Howard offered the following amendment:

Amend by inserting the word “county” before the word “city;”

The title was then read and agreed to as amended.

The House resumed the consideration of House bill No. 353,

Mr. Dod offered the following amendment:

Amend section 26, line 2, by striking out the words “or any justice thereof in vacation;”

Which was read and not agreed to.

Mr. Dod offered the following amendment:

Amend by striking out “or justice,” in line 9, section 27;

Which was read and agreed to.

Mr. Crockett offered the following amendment:

Amend by adding, after the word “shall,” in 2d line, “or a majority of them shall;”

Which was read and not agreed to.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 416, entitled

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas,

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

March 9, 1871.

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have presented to the Governor for his approval, House bill No. 416, entitled

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following communication from the Enrolling Clerk:

OFFICE ENROLLING CLERK, HOUSE REPRESENTATIVES,
March 9th, 1871.

Hon. John I. Martin, Chairman Committee on Enrolled Bills:

SIR: Under the resolution adopted by the House at the beginning of the present session, in relation to assistant enrolling clerks, I would respectfully request, owing to the press of business, now in the Enrolling Clerk's office, accumulated in the last twenty-four hours, that you will request of the House that W. T. Moore and John P. Butler, now acting as committee clerks, be assigned to the Enrolling Clerk as assistants.

W. C. B. GILLESPIE,
Enrolling Clerk.

Which was read and referred to Chief Clerk.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

HOUSE OF REPRESENTATIVES, March, 1871.

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that there have been presented to the Governor for his signature, Senate bills of the following titles:

An act to amend an act entitled an act to locate and dispose of the congressional land grant of July 2, 1862, to endow, support and maintain schools of agriculture and the mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, approved February 24, 1870;

An act to provide for the assessment of personal property for the year 1871, in all counties where such assessments have not been made for said year;

An act to provide for the investment of balances in the executors' and administrators' and redemption of land funds;

An act to amend an act entitled an act to incorporate Arcadia High School, approved February 5, 1849;

An act for the payment of Capt. Lehman's company of Missouri Militia;

An act supplementary to an act entitled an act to create, establish and provide for the government of Tower Grove Park of the city of St. Louis, approved March 9, 1867;

Also, Senate concurrent resolution

Requesting the State Board of Immigration to report to this General Assembly;

Which was read.

The House resumed the consideration of the pending question, being

House bill No. 356,

Mr. Eubanks offered the following amendment :

Amend by inserting immediately after the word "of" in the eighth line, twenty-eighth section, the words "at three of the most public places;"

Which was read and agreed to.

Mr. McMillan offered the following amendment :

Strike out the word "materially" in the first line of section twenty-eight;

Which was read.

Pending which,

On motion of Mr. Asher,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of
House bill No. 356.

The question pending, being the amendment of Mr. McMillan ;

Which was agreed to.

Mr. Wilkes offered the following amendment ;

Amend section twenty-eight by striking out "twenty," in seventh line, and insert "sixty;" strike out "three," in eighth line, and insert "six;"

Which was read and not agreed to.

Mr. Kost offered the following amendment :

Amend section twenty-eight, line three, strike out the words "convenient to," and insert "passable for;"

Which was read and agreed to.

Mr. Knott offered the following amendment :

Amend by adding the words "and one in the office of the county clerk," at the end of section twenty-eight ;

Which was read and agreed to.

Mr. Shafer offered the following amendment :

Amend after the word "commissioners," in fifth line, as follows :
"and judgment shall be given against the petitioners for all costs;"

Which was read and not agreed to.

Mr. Scoville offered the following amendment :

Amend section twenty-nine, by adding to same the following :

"and all roads which have not been worked or used as such for the past ten (10) years, are hereby vacated;"

Which was read and agreed to.

Mr. Shields offered the following amendment:

Amend section twenty-nine by inserting after the word "townships," in the third line, the words "provided that notice of such application shall be given by the petitioners at least twenty days before the presentation of such petition, by written or printed notices, posted up in not less than three of the most public places on said road;

Which was read and not agreed to.

Mr. Wielandy offered the following amendment:

Amend section thirty-one by inserting in the third line thereof, between the word "may" and the word "proceed," the following words: "on proof that notice has been given;"

Which was read and agreed to.

Mr. Buller offered the following amendment:

Amend by inserting a new section, to be numbered section thirty-three:

Sec. 33. Whenever the record or survey of any road heretofore established in any county, shall be so defective that its location cannot be accurately ascertained, the county court may order the same to be surveyed by the county surveyor, and the plat and field notes thereof, filed and recorded in the office of the clerk of the county court, which plat and survey shall therefore be evidence of the location of such road;

Which was read agreed to.

Mr. Logan offered the following amendment:

Amend by striking out section thirty-three, and inserting the following:

Sec. 34. Any owner of, or person interested in any real estate over or through which any new road shall be proposed to be opened, or upon which any old road shall be proposed to be located or changed, or over which any old road shall run, which is sought to be vacated by virtue of any of the provisions of this act, may appear in the county court and file his objections to such opening, location, change or vacation, setting forth the grounds of objection, and if such objection be overruled, and final order made for such opening, location, change or vacation, and upon final judgment of the court upon any assessment of damages, such party, if feeling aggrieved, may appeal to the circuit court of the county in the same time and manner, and with the same effect as provided by law for appeals from judgments of county courts in other cases; *provided*, that no appeal shall operate as a stay of proceedings until final determination thereof in the appellate court, unless the county court shall so order. If no appeal be taken, the judgment of the county court upon the report of the commissioners shall be conclusive in the premises;

Which was read and agreed to.

Mr. Asher offered the following amendment:

Strike out all of the bill after section 33, inclusive of that section;

Which was read and not agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

Mr. SPEAKER: I am instructed by the Senate to inform the House

of Representatives, that there has been introduced into the Senate and passed that body a bill of the following title:

Senate bill No. 188, entitled

An act to regulate the times of holding circuit court in the fourth judicial circuit;

In which the concurrence of the House is respectfully requested.
Which was read.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up

House bill No. 299, entitled

An act to vacate the office of the present justices of the county court of St. Louis county; and to provide for filling the vacancies hereby created, and to change the term of said offices, to create the office of presiding justice of said court, and to define the districts from which the presiding justice and the said justices shall be severally elected,

And passed the accompanying substitute therefor;

In which the concurrence of the House is respectfully requested;
Which was read.

Together with the substitute for House bill No. 299 recommended by the Senate;

Was taken up.

Mr. Pope moved to refer the substitute to the St. Louis delegation;

Which was agreed to.

The House resumed the consideration of
House bill No. 356.

Mr. Cloud offered the following amendment:

Amend by adding a new section as follows:

Sec. 35. In all cases when, by the operation of any of the provisions of this act, any person may be appointed as commissioner, surveyor, chainman, witness, juror or officer, issuing or serving a summons or other process or notice, including notice by publication, such person so serving upon such appointment or performing such duties or making such publication, shall be paid the usual fees for such service or publications, where the same are fixed by law, and where not so fixed by law, they shall receive such pay as may be allowed by the county court, and such fees and expenses shall be paid by the county treasurer, upon the presentation of a warrant signed by the county court and countersigned by the county clerk;

Which was read and not agreed to.

Mr. Bohn offered the following amendment:

Amend by adding a new section:

All section lines in the respective counties of this State are hereby declared public roads, and the county courts on application in writing, of twelve freeholders, residing in the township through which a road is proposed to be opened, setting forth that the public convenience required the opening of such road, may give notice thereof to the overseer of roads, who shall proceed under the provisions of the road law to open said road one and a half rods on each side of said section line; *provided*, that the provision relative to damages in the general laws of this State, shall apply in all cases wherever damages are claimed under this section;

Which was read and not agreed to.

The following message was received from the Governor by his private secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,
City of Jefferson, March 9, 1871.

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bills from the House:

An act authorizing the Chief Clerk of the House of Representatives to cause the portrait of General Nathaniel Lyon, now suspended in the Hall of the House of Representatives to be framed, and providing for the payment of the same;

An act to purchase additional copies of Louis Houck's edition of the first fifteen volumes of the Missouri reports, to make an appropriation therefor, to extend the time for the delivery of the same, and to pay to said Louis Houck the twenty per cent. reserved by and under an act entitled "an act to subscribe for and make an appropriation for Louis Houck's edition of the first fifteen volumes of the Missouri reports, approved March 16, 1870;

An act to repeal an act entitled an act to establish a court of common pleas in the county of Saline, approved March 1, 1869, and to provide for the disposition and safe custody of papers and proceedings of the Saline court of common pleas;

An act to amend an act entitled an act to incorporate the city of LaGrange, approved February 24, 1843;

Respectfully,
B. GRATZ BROWN.

The House resumed the consideration of House bill.

Mr. Kost offered the following amendment:

Amend by adding the following section after section 34:

Sec. 35. Whenever twelve householders shall petition the county court for a change in any road in their township or townships, the county court shall proceed in the same manner as is provided in this act for the opening of new roads, and whenever such change is made, the old road, between the points of intersection, shall thereafter be vacated;

Which was read and agreed to.

Mr. Samuel offered the following amendment:

Amend section thirty-six, third line, by inserting after the word "length," in said line, as follows:

"Not less than three nor more than seven miles;"

Which was read and agreed to.

Mr. Burrows offered the following substitute for section thirty-four:

Sec. 34. Hereafter every school district shall constitute a road district;

Which was read and not agreed to.

Mr. Buller offered the following amendment:

Amend the amendment by striking out "seven" and "three," and inserting "four;"

Which was read and not agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out all after "longer," in fourth line;

Which was read and agreed to.

Mr. Wilkes offered the following amendment:

Amend by striking out "fifty," and insert "forty-five;"

Which was read and not agreed to.

Mr. Dod offered the following substitute for section forty-seven:
Substitute for section forty-seven:

For the purpose of raising the necessary funds to defray the expense of opening, repairing and improving the public roads, the county courts are hereby authorized to levy a road poll tax of three dollars on each able-bodied male citizen over the age of twenty-one and under fifty years of age, and a special property tax not exceeding two and a half mills on the dollar, on all taxable property of the respective counties; which taxes shall be levied and collected as other taxes are by law required to be levied and collected. The tax collected under this section in each municipal township shall be apportioned to such township for the working of the roads therein. The taxes required by this section to be levied and collected may be paid by the tax-debtor, under the direction of the proper road overseer, by work on the public roads, at the following rates: One man per day, one dollar and fifty cents; a wagon, cart, plow or scraper, with one team, three dollars per day;

Which was read.

Mr. Burrows offered the following amendment:

Amend by adding after the words "two and a half mills," "not less than one mill;"

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled

House bill No. 53, entitled

An act to amend the charter of the city of St. Joseph;

Substitute for House bills Nos. 71, 133 and 268, entitled

An act to provide for a uniform registration of voters, the appointment of judges of election, and repealing all former acts relating thereto;

And House concurrent resolution No. 30, entitled

Concurrent resolution authorizing the State Librarian to dispose of certain books;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval:

House bill No. 53, entitled

An act to amend the charter of the city of St. Joseph;

Substitute for House bills Nos. 71, 133 and 268, entitled

An act to provide for a uniform registration of voters, the appointment of judges of election, and repealing all former acts relating thereto;

And House concurrent resolution No. 30, entitled

Concurrent resolution authorizing the State Librarian to dispose of certain books;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that there has been presented to the Governor for his signature:

Senate bill No. 20, entitled

An act to amend an act entitled an act to facilitate the construction of railroads in the State of Missouri, approved March 23, 1868, (and being section fifty-two of article one of chapter thirty-seven of Wagner's Statutes), and to limit the amount of stock which any county, city, incorporated town or municipal township may subscribe for the construction of railroads;

Also, Senate bill No. 15, entitled

An act to refund money to the board of managers of the Roman Catholic Male and Female Orphan Asylum;

Which was read.

Mr. Brown of Howard moved to adjourn to 7½ o'clock p. m.

Mr. Buller demanded the ayes and noes.

Mr. Brown of Howard's motion to adjourn was agreed to by the following vote:

AYES—Messrs. Alsup, Applegate, Asher, Auer, Bell, Beltrami, Bennett, Bittinger, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Bunch, Clark, Coleman, Crockett, Davis, Dent, Dolle, Edwards, Fassen, Frost, George, Goodson, Hardin, Harmon, Hickman, Howell, Hutt, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, Mitchell, Moore of Stone, Murphy, Pauley, Raney, Richardson, Robinson, Sanford, Schooley, Scoville, Shewalter, Shields, Steele, Stone, Squires, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wilkes, Williams of Audrain, Williams of Morgan and Worden—63.

NOES—Messrs. Adams of Butler, Adams of Gentry, Bailard, Barnes, Bass, Bohn, Buller, Burrows, Burton, Chilton, Cloud, Dean, Dod, Dolman, Eubanks, Girdner, Gray, Hooper, Knott, Kost, Martin of Caldwell, McAllister, Miller, Neal, Norris, Pope, Randall, Rolston, Shafer, Smith, Stancil, Thomas, Turner, Wight of Vernon and Mr. Speaker—35.

Absent—Messrs. Abington, Barrett, Borg, Bosbyshell, Breazeale, Butler, Claiborne, Collier, Colcord, Doak, Edens, Gates, Haas, Kitchen, Koch, Lamson, Leeper, McPike, Ming, Moore of Livingston, Mortell, Mullings, Myers, Newman, Ray, Samuel, Sharp, Sides, Sloan, Sorrell and Walker—31.

Absent with leave—Messrs. Hubbell, Murray and O'Bannion of Pettis—3.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannan of Dallas—5.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Martin of St. Louis, introduced a bill entitled

An act to amend an act entitled an act amendatory of an act entitled an act amendatory of an act entitled an act creating a board of Police Commissioners, and authorizing the appointment of the police force for the city of St. Louis, approved March 27, 1861, approved December 12, 1863, also amendatory of an act entitled an act to provide for the payment of the police of the city of St. Louis, approved February 5, 1864, approved February 18, 1865;

Which was read the first time, the rules suspended, read the second time, and on motion,

Referred to the St. Louis Delegation.

Mr. Barrett moved to reconsider the vote by which the further consideration of House bill No. 9, was postponed until the second Tuesday in January, 1872, and desired his motion to be entered of record.

Mr. Speaker (Wilson) introduced a bill entitled

An act to amend an act entitled an act to incorporate the city of Weston, approved March 3, 1851;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry Alsop, Applegate, Asher, Auer, Ballard, Barrett, Bass, Beltrami Bennett, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard Brown of Monroe, Buckham, Bulkley, Butler, Bunch, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean Dent, Dod, Dolle, Eubanks, Fassen, Frost, Gates, Girdner, Goodson Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Martin of St. Louis, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wilkes Worden and Mr. Speaker—84.

NOES—None.

Absent—Messrs. Barnes, Bittinger, Bradshaw, Burton, Butler, Dolman, Edens, George, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Ray, Shewalter, Sides, Smith, Walker, White of Texas, Wight of Vernon, Williams of Audrain and Williams of Morgan—37.

Absent with leave—Messrs. Colcord, Doak, Edwards, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettis and Sorrell—10.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett, O'Bannon of Dallas and Squires—6.

Mr. Bell introduced a bill entitled

An act to repeal an act entitled an act incorporate the town of New Franklin, approved January 16, 1833, as far as the same relates to lotteries;

Which was read the first time, rules suspended, read the second time, and, on motion,

Referred to Committee on Criminal Jurisprudence.

Senate bill No. 188, entitled,

An act to regulate the time of holding circuit court in the fourth judicial circuit;

Was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Bunch, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Dolle, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Latashaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Moore of Livingston, Moore of Stone, Murphy, Neal, Newman, Norris, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von-Kochtitzky, Walker, Wilkes, Worden, Wielandy and Mr. Speaker—97.

NOES—Mr. Dod—1.

Absent—Messrs. Asher, Barnes, Bradshaw, Burton, Butler, Dolman, Edens, Maupin, McAllister, Mortell, Mitchell, Mullings, Myers, Pauley, Ray, Shewalter, Sides, Squires, White of Texas, Wight of Vernon, Williams of Audrain and Williams of Morgan—21.

Absent with leave—Messrs. Ballard, Colcord, Doak, Edwards, George, Hubbell, Lamson, McMillan, McPike, Ming, Murray, O'Bannon of Pettis and Sorrell—13.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title of the bill was then read and agreed to.

Mr. Hooper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Buckham introduced a bill entitled

An act to repeal an act to incorporate the town of Rockport, in the county of Atchison, approved December 13, 1855, and to repeal all acts amendatory to said act or in any wise appertaining to the incorporation of said town of Rockport;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Local Bills.

Mr. Buckham presented a petition from citizens of Rockport, in Atchison county, asking the passage of a bill repealing the charter of said town;

Which was read, and, on motion,

Referred to the Committee on Local Bills.

Mr. Williams of Audrain introduced a bill entitled

An act to appoint a commission to examine outstanding war claims;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Joint Committee on Militia.

House bill No. 461, entitled

An act to enable townships divided by county lines to consolidate for school purposes,

Was taken up, and,

On motion of Mr. Goodson,

Referred to Committee on Education.

Mr. Claiborne called for the special order, being

House bill No. 442,

With substitute for the same;

Which were taken up.

Mr. Leeper moved to continue the consideration of the same to-morrow morning at 10 o'clock;

Which was agreed to.

On motion of Mr. Brown of Howard,

The House adjourned to meet to-morrow morning at 10 o'clock.

FRIDAY, MARCH 10, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Rev. Mr. Huber.

The journal of yesterday was being read, when
On motion of Mr. Pope,
The further reading of the journal was dispensed with.

Mr. Shafer introduced a bill entitled

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interests which have been improperly diverted from their objects and purposes, and to employ counsel, and compensate them for prosecuting such proceedings, approved March 22, 1870;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Education.

Mr. Bittinger introduced a bill entitled

An act to amend section three of chapter one hundred and eighty-five of General Statutes of Missouri, the same being section three of article nine of chapter eighty-two of Wagner's Missouri Statutes;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Justices of the Peace.

Mr. Bittinger introduced a bill entitled

An act to amend section twenty-seven of chapter thirty-two of General Statutes of Missouri, the same being section twenty-seven of chapter fifty-six of Wagner's Missouri Statutes;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Justices of the Peace.

Mr. Shafer introduced a bill entitled

An act to amend an act entitled an act to aid in the establishment of normal schools, approved March 19, 1870;
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to Committee on Education.

Mr. Bittinger introduced a bill entitled

An act to establish a lunatic asylum in the northwest portion of the State, to be called "The Northwestern Missouri Lunatic Asylum;"
Which was read the first time, the rules suspended, read the second time, and, on motion,
Referred to the Committee on Lunatic Asylum.

Mr. Barnes introduce a bill entitled

An act to establish the county line between the counties of Reynolds and Wayne, and repealing all acts inconsistent with this act;

Which was read the first time, the rules suspended, read the second time.

Mr. Sides introduced a bill entitled

An act to authorize the State Auditor to audit and allow the accounts of A. P. Duckworth for assessing the county of Dent for the year 1861, and appropriating money to pay the same;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Claims.

Mr. Shields introduced a concurrent resolution entitled

Concurrent resolution to appoint a joint committee to re-district the judicial circuits of the State;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to Committee on Judiciary.

Mr. Knott offered the following resolution :

Resolved, That hereafter no member shall speak longer than five minutes at one time, except by consent of the House;

Which was read and adopted.

Mr. Barrett presented a memorial from citizens of Randolph county indorsing

House bill No. 157,

And asking its passage;

Which was read, and

Referred to Committee on Insurance.

Mr. Clark introduced a bill entitled

An act to create the twenty-seventh judicial circuit, and to provide for the election of a judge and circuit attorney thereof;

Which was read the first time, the rules suspended, read the second time, and, on motion,

Referred to the Committee on Judiciary.

House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads, on the terms of his original contract therofor with the State, and to authorize the said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw warrants in favor of the National Bank of the State of Missouri and of James B. Eads, for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants,

Was taken up.

The question being on the substitute offered by Mr. Moore of Livingston,

Mr. Samuel moved to postpone the further consideration of the bill and substitute until next Monday, 13th inst., at 11 o'clock, A. M.

Mr. Samuel demanding the ayes and noes on his motion, it was not agreed to by the following vote :

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Bass, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Butler, Burrows, Buller, Chilton, Coleman, Dean, Dolle, Edens, Fassen, George, Girdner, Goodson, Gray, Hickman, Hooper, Howell, Kitchen, Latshaw, Leeper, Marshall, McMillan, Miller, Moore of Livingston, Myers, Neal, Newman, Raney, Randall, Rolston, Samuel, Sanford, Scoville, Shafer, Sides, Sloan, Smith, Stancil, Turner, Van Roden, Von Kochtitzky, White of Texas, Williams of Morgan and Worden—58.

NOES—Messrs. Abington, Barrett, Bell, Bittering, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Dent, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, Hardin, Harmon, Hutt, Knott, Koch, Langston, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Norris, Pauley, Pope, Richardson, Robinson, Schooley, Sharp, Shewalter, Shields, Steele, Stone, Squires, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—59.

Absent—Messrs. Kost, Murray and Walker—3.

Absent with leave—Messrs. Burton, Colcord, Hubbell, Lamson, McPike, Ming, O'Bannon of Dallas, Ray and Sorrell—9.

Sick—Messrs. Abbee, Bunch, Gratiot, Haas, Hackman, Hammett, Leach and Norris—8.

Mr. Moore of Livingston, offered the following amendment to the substitute :

Amend section two by striking out the words and figures “\$597,531 09,” and insert “\$604,968 95;”

Also, strike out “\$526,684 97,” and insert “\$526,839 44;”

Which was read and agreed to.

The following message was received from the Senate, by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 475, entitled

An act to amend an act entitled an act to incorporate the city of Weston, approved March 3, 1851;

Which was read.

Mr. Mullings moved to reconsider the vote by which the resolution limiting the speeches to five minutes was adopted;

Which was agreed to.

On motion of Mr. Richardson,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

House bill No. 465, entitled

An act to amend an act entitled an act to incorporate the town of Princeton, in Mercer county, Missouri, approved March 1, 1855,

Was taken up, rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Chilton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Hardin, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Langston, Latschaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Mabrey, Miller, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Sides, Sloan, Smith, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—88.

NOES—None.

Absent—Messrs. Abington, Auer, Bell, Bittinger, Bohn, Breazeale, Bulkley, Butler, Dean, Doak, Dod, Edens, Fassen, Gray, Haas, Hickman, Koch, Kost, Leach, Martin of St. Louis, Maupin, McAllister, McMillan, Mitchell, Shafer, Shewalter, Shields, Stancil, Squires, Turner, Walker, White of Texas, and Williams of Audrain,—33.

Absent with leave—Messrs. Burton, Colcord, Hubbell, Lamson, McPike, Ming, Murray, O'Bannon of Pettis, Ray and Sorrell—10.

Sick—Messrs. Abbee, Bunch, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title of the bill was then read and agreed to.

House concurrent resolution No. 36, entitled

Concurrent resolution of instruction as to improvement of Osage river.

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Burrows, Ohlton, Olaiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hardin, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McAllister, Miller, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, Pauley, Pope, Raney, Randall, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Sharp, Shields, Sides, Sloan, Smith, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Morgan Worden and Mr. Speaker—95.

NOES—Mr. Bulkley—1.

Absent—Messrs. Barrett, Bell, Bitteringer, Borg, Buller, Burton, Bunch, Butler, Dod, Dean, Fassen, Koch, Leach, Martin of St. Louis, Mitchell, O'Bannon of Pettis, Samuel, Shafer, Shewalter, Stancil, Squires, Turner, Walker and Williams of Audrain—24.

Absent with leave—Messrs. Colcord, Haas, Hubbell, Kost, Lamson, McPike, Ming, Mitchell, Murray, O'Bannan of Dallas, Ray, and Sorrell—12.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and Norris—5.

Leave of absence was granted to Messrs. Haas and Kost for three days.

Senate concurrent resolution No. 22, entitled
Concurrent resolution for adjournment,
Was taken up.

Mr. Myers offered the following amendment:

Amend by striking out "fifteenth" and insert "twenty-seventh."

Mr. Neal offered the following amendment to the amendment:

Amend by striking out "27th" and insert "20th;"

Which was read and agreed to.

The amendment, as amended, was then read and agreed to.

Mr. Marshall offered the following amendment:

Amend by striking out "December" and insert "January;"

Which was read and not agreed to.

Mr. Leeper offered the following amendment:

Amend by striking out "first Wednesday in December" and insert the "third Wednesday in November;"

Which was read and not agreed to.

On motion,

The rules were suspended, the concurrent resolution read the third time, as amended, and agreed to.

The House resumed the consideration of
House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri, in her own right and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri (now the National Bank of the State of Missouri) to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said Auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the State Auditor to draw warrants in favor of the National Bank of the State of Missouri, and of James B. Eads, for certain monies due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

The question being on the substitute for the bill offered by Mr. Moore of Livingston,
Pending the consideration of substitute for
House bill No. 442,

The following message was received from the Governor by his private Secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 10, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bills from the House:

An act to provide for a uniform registration of voters, the appointment of judges of election, and repealing all former acts relating thereto.

An act to amend the charter of the city of St. Joseph.

Concurrent resolution authorizing the State Librarian to dispose of certain books.

An act to provide for a uniform system of assessing and collecting taxes on railroads.

Respectfully,
B. GRATZ BROWN.

The House resumed the consideration of
House bill No. 442.

The question being on the substitute offered by Mr. Moore of Livingston,

Pending the consideration of which,

Mr. Bosbyshell offered the following resolution:

Resolved, That the Committee on Printing be required to report to this House on Monday next, at the hour of 3 o'clock, P. M., the cost of printing and furnishing this General Assembly with the fifth annual report of the Superintendent of Public Schools of the State of Missouri;

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to the Governor for his approval

House bill No. 66, entitled

An act to amend section two of an act entitled an act to sell the

claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond.

House bill No. 475, entitled

An act to amend an act entitled an act to incorporate the city of Weston, approved March 3, 1851.

Substitute for House bill No. 194, entitled

An act amendatory of and supplementary to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859.

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined and find correctly enrolled

House bill No. 66, entitled

An act to amend section two of an act entitled an act to sell the claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond.

House bill No. 475, entitled

An act to amend an act entitled an act to incorporate the city of Weston, approved March 3, 1851.

Substitute for House bill No. 194, entitled

An act amendatory of and supplementary to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859;

Which was read.

The Speaker laid before the House the following communication from the Warden of the Penitentiary:

MISSOURI PENITENTIARY, WARDEN'S OFFICE, }
JEFFERSON CITY, March 10, 1871. }

MR. SPEAKER—SIR: In answer to a number of inquiries made by your honorable body in relation to the number of prisoners incarcerated under the age of twenty-one and at the age of twenty-one, I have the honor of stating that there are four the age of fifteen, thirty-nine the age of sixteen, twenty-eight the age of seventeen, forty the age of eighteen, forty-six the age of nineteen, thirty-eight the age of twenty, forty-two the age of twenty-one.

The above are the ages at which time they were incarcerated.

Very respectfully,

Your obedient servant,

W. J. DOUGHERTY,
Warden.

Which was read, and on motion,
Referred to Committee on Penitentiary.

Leave of absence was granted to Mr. Bosbyshell for one day.

On motion of Mr. Dean,
The House adjourned to 7½ o'clock, p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred

House bill No. 239, entitled

An act to revise and amend an act entitled an act to incorporate the town of Harrisonville, approved March 4, 1857, and all the acts amendatory thereof and supplementary thereto, and to reduce the same into one act,

Have had the same under consideration and report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 239, entitled

An act to revise and amend an act entitled an act to incorporate the town of Harrisonville, approved March 4, 1857, and all the acts amendatory thereof and supplementary thereto and to reduce the same into one act,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckingham, Buller, Chilton, Claiborne, Clark, Cloud, Davis, Dent, Doak, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Harmon, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, McAllister, Miller, Moore of Livingston, Moore of Stone, Mortell, Myers, Newman, Norris, Neal, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Sharp, Shewalter, Sloan, Smith, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Worden and Mr. Speaker—83.

NOES—None.

Absent—Messrs. Abington, Barnes, Bass, Bradshaw, Brown of Monroe, Bulkley, Burrows, Burton, Butler, Coleman, Collier, Crockett, Dean, Dod, Dolman, Edens, Hardin, Kitchen, Marlin, Maupin, Mabrey, Martin of Caldwell, McMillan, Mitchell, Mullings, Murray, Pauley, Raney, Sanford, Schooley, Shafer, Shields, Sides, Squires, Walker, Williams of Audrain and Williams of Morgan—37.

Absent with leave—Messrs. Colcord, Hubbell, Kost, Lamson Leach, McPike, Ming, O'Bannon of Pettis, Ray, and Sorrell—10.

Sick—Messrs. Abbee, Bunch, Gratiot, Hackman, Hammett and O'Bannan of Dallas—6.

The title was then read and agreed to.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 331, entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri,

Have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it do pass;

Which was read.

House bill No. 331, entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri,

Was taken up.

The rules were suspended, read the third time and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Burrows, Chilton, Claiborne, Cloud, Collier, Crockett, Davis, Dent, Doak, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Haas, Harmon, Hickman, Howell, Hutt, Knott, Koch, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, McAllister, McMillan, Miller, Moore of Stone, Mortell, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shewalter, Sloan, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain Worden and Mr. Speaker—81.

NOES—Messrs. Applegate, Buller, Hooper, Moore of Livingston, Smith, Wilkes and Williams of Morgan—7.

Absent—Messrs. Abington, Barnes, Bass, Bradshaw, Brown of Monroe, Buckham, Bulkley, Burrows, Burton, Butler, Clark, Coleman, Dean, Dod, Dolman, Edens, Gray, Hardin, Kitchen, Leach, Marlin, Murphy, Maupin Mabrey, Mitchell, Mullings, Pauley, Raney, Sanford, Schooley, Shields, Sides, Squires, and Walker—34.

Absent with leave—Messrs. Colcord, Hubbell, Kost, Lamson, McPike, Ming, Murray, Ray and Sorrell—9.

Sick—Messrs. Abbee, Bunch, Gratiot, Hackman, Hammett and O'Bannon of Dallas—6.

The title was then read and agreed to.

Mr. Samuel, from the Committee on Deaf and Dumb Asylum, submitted the following report:

MR. SPEAKER: Your Committee on Deaf and Dumb Asylum, have had under consideration

Senate bill No. 164,

And recommend its passage with the following additional section, as follows:

SEC. 6. This act to take effect and be in force from and after its passage;

Which was read.

Senate bill No. 164, entitled

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb;"

The following amendment recommended by the Committee on Deaf and Dumb Asylum:

Amend by adding additional section, as follows:

SEC. 6. This act to take effect and be in force from and after its passage,

Which was read and agreed to.

On motion, the rules were suspended, the bill as amended, read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckley, Buller, Burrows, Chilton, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Harmon, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Steele, Stone, Thomas, Turner, Van Roden, Von-Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—101.

NOES—None.

Absent—Messrs. Abington, Bass, Bohn, Bradshaw, Brown of Monroe, Buckham, Burton, Butler, Coleman, Dolman, Edens, Hardin, Kitchen, Leach, Marlin, Mabrey, Pauley, Raney, Walker, Squires and Stancil—21.

Absent with leave—Messrs. Bunch, Colcord, Hubbell, Kost, Lamson, McPike, Ming, Murray, Ray and Sorrell—10.

Sick—Messrs. Abbee, Gratiot, Hackman, Hammett and O'Bannon of Dallas—5.

The title was then read and agreed to.

Mr. Samuel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education have had House bill No. 220,

Under consideration, and have instructed me to report the bill back to the House, with the recommendation that the same do pass; Which was read.

House bill No. 220, entitled

An act to amend an act empowering the board to issue bonds for the use of German school in the town of Herman,

Was taken up, and on motion, the rules were suspended, and the bill read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Aplegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown, Buckham, Bulkeley, Buller, Burrows, Chilton, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Harmon, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McMillan, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Myers, Newman, Norris, O'Bannon of Pettis, Pope, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Stancil, Steele, Stone, Thomas, Turner, VanRoden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—104.

NOES—Messrs. Bradshaw, Brown of Monroe, Burton, Butler, Coleman, Edens, Hardin, Kitchen, Marlin, Mabrey, Neal, Pauley, Raney, Squires and Walker—15.

Absent with leave—Messrs. Bass, Bunch, Colcord, Hubbell, Kost, Lamson, McPike, Ming, Murray, Ray and Sorrell—11.

Sick—Messrs. Abbee, Abington, Gratiot, Hackman, Hammett, Leach, and O'Bannon of Dallas—7.

The title was read and agreed to.

Mr. Stone, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your special committee composed of the St. Louis House Delegation to whom was referred

House bill No. 97,

An act to repeal all general and special acts enacted by the General Assembly of the State of Missouri, for the government of the city and county of St. Louis, to consolidate said city and county into one corporation, and to prescribe the powers, duties and privileges of the corporation so created,

Have had the same under consideration, and at a meeting of the delegation held on 7th inst., the following resolution was adopted, to wit:

Resolved, That House bill No 97, as amended by the St. Louis Delegation, be returned to the House with a recommendation that it do pass. The following gentlemen voting in the affirmative: Messrs. Bell, Bosbyshell, Colcord, Olaiborne, Koch, Mortell, Martin, Pauley and Stone—9. The following gentlemen voting in the negative: Messrs. Auer, Borg, Fassen, Hickman and Pope—5.

Agreeable to said resolution and instructions, I return said House bill No. 97, and respectfully recommend that the same do pass;
Which was read.

House bill No. 97, entitled

An act to repeal all general and special acts enacted by the General Assembly of the State of Missouri for the government of the city or county of St. Louis, to consolidate said city and county into one corporation, and to prescribe the powers, duties and privileges of the corporation so created,

Was taken up,

The following amendments were recommended by the committee:

No. 1. Amend article one section three, by adding after the word "the" the words "justice of the."

No. 2. Amend article one, section three, by striking out the word "April," and insert "May."

No. 3. Amend article one, section three, after the words "exist," and insert the words "as such."

No. 4. Amend article one, section six, by striking out the section and inserting the following:

The city of St. Louis shall be divided into three revenue districts to be known as the "old," "new" and "extended limits" of the city, the "old limits" shall comprise the corporate boundaries of the city of St. Louis, as established prior to the date of the passage of this act, the "new limits," shall comprise all that portion of St. Louis township not embraced in the "old limits;" the "extended limits," shall comprise and embrace all that district of country situated in St. Louis county, and not described within the limits herein specified.

No 5. Amend article two, section one, by striking out the word "April," and inserting "May."

No. 6. Amend article two, section four, by striking out "he shall be assessed on the books of the assessor not less than \$500 taxable property three months previous to election."

No. 7. Amend article two, section six, by striking out the word "April," and inserting "May."

No. 8. Amend article two, section eleven, by striking out the words "at least two-thirds," and insert "a majority;" insert after the word "all," the word "the."

No. 9. Amend article two, section twelve, by striking out the words "unanimous vote thereof," and insert the words "by the votes of three-fourths of all the members elected."

No. 10. Amend article two, section thirteen, by adding, after the word "alter," the word "abolish."

No. 11. Amend article two, section thirteen, paragraph eight, by striking out the words "and to suppress," and inserting the words "and to regulate or suppress."

No. 12. Amend article two, section thirteen, paragraph thirteen, by adding, after the word "corporation," the following: "unless two thirds of those who pay taxes on real or personal estate voting at such election shall vote in favor of the proposed subscriptions."

No. 13. Amend article two, section fifteen, by adding, after the

words "by law," the words "except in cases of manifest error afterward discovered."

No. 14. Amend article three, section two, by striking out the word "April," and inserting "May."

No. 15. Amend article three, section two, by inserting after the word "alderman," the following: "unless possessing like disabilities, and in case the two boards shall meet in joint session and elect one of their number to act as mayor, no one being permitted to officiate as mayor who does not possess the qualification required by this act."

No. 16. Amend article six, section two, by striking out "under impeachment," and inserting "suspended or removed from office."

Amend article four, section one, so as to read,

SECTION 1. The following city officers, viz.: Auditor, treasurer, register, city marshal, State and city collectors, president of the board of assessors, city counselor, land commissioner, jailor, two police justices and two city attorneys shall be elected on the first Tuesday in May, 1871, and on the same day every four years thereafter, by the qualified voters of the city of St. Louis. The following officers, viz.: chief engineer of the fire department, harbor master, a superintendent of the fire and police telegraph, a superintendent of the work-house and a superintendent of the poor-house, shall be appointed in the manner prescribed in the preceding article, for a term of two years, and all elective and appointive officers shall hold their respective offices until their successors shall be duly qualified. There shall also be such other officers, servants and agents of the corporation as may be provided by ordinance, who shall perform such duties as may be prescribed by ordinance.

No. 17. Amend article four, section three, by adding after the word "deposited," the following: "that will pay the largest amount of interest on current deposits; proposals for the current deposits of the public funds to be made in writing, addressed to the Mayor, immediately after the adoption of this act; and the same shall be opened within three days after submitting the proposals, in the presence of the treasurer, auditor and the banks or banking institutions making proposals for the current deposits of the public funds at the hour of twelve o'clock at noon, at the office of the mayor, when the award shall then be made."

No. 18. Amend by striking out "mayor," and insert "city council" in article four, section four.

No. 19. Strike out section two, article five, and insert the following: The city council shall, by ordinance, annually levy and collect the following city taxes on all property within the city, made taxable by law for State purposes, and shall establish the rates thereof on or before the first day of June in each year; *provided*, that the rate shall not exceed one and sixteenth of one per cent. in the "old limits," one per cent. in the "new limits," and one-half of one per cent. in the "extended limits." A copy of such ordinance shall be immediately filed in the office of the president of the board of assessors; *provided*, *however*, that nothing in this section shall be construed as would prevent the president of the board of assessors from complying with the provisions of an act entitled "an act for the improvement of Lafayette Park in the city of St. Louis," approved February 13, 1864. The payment of the taxes authorized by this act shall be enforced in the same manner and under the same rules and regulations as may be provided by law for collecting and enforcing the payment of State taxes.

No. 20. Amend article five, section four, by striking out all after the words "fiscal year."

No. 21. Amend article five, section five, line three, after the word "Parks" "except Tower Grove Park."

No. 22. Amend article six, section two, by striking out the word "second" and insert "third."

No. 23. Amend article six, section two, by inserting after the word "the" the word "daily" after the word "newspapers." Strike out the words "doing the city printing" and insert the words "of the city;" after the word "actual" insert the word "average;" after the word "circulation" insert "for six months previous to the bid."

No. 24. Amend by striking out "mayor" and insert "city council," article six, section four, line five.

No. 25. Amend article seven, section one, by striking out "practicable" and insert the word "regular."

No. 26. Amend article seven, section three, by inserting after the words "practice in medicine, and be a resident for at least five years of."

No. 27. Amend article eight, section one, by striking out the word "first" and insert "third."

No. 28. Amend article eight, section two, by adding after the word "require" the following: "with the approval of the mayor."

No. 29. Amend article eight, section seven, by striking out the words "misdemeanor or."

No. 30. Amend article eight, section eleven, by adding after the word "proceedings" the words "pertaining thereto."

No. 31. Amend article eight, section thirteen, after the word "city" insert the following: "upon the petition of a majority in interest in each block to be taxed for the improvement."

No. 32. Amend article eight, section fourteen, by adding the following: The cost of paving, macadamizing, guttering, cross-walks and curbing of the carriage ways, intersections and sidewalks of all streets and alleys, and the cost of all reconstructions, and also the cost of paving of all alleys within the "new limits" of the city as defined by this act shall in all cases be paid by the owners of the property in the vicinity of the work in such manner as shall hereinafter be provided, and as may be further provided by ordinance; *provided*, the sidewalks may be ordered and paved only when the streets where such sidewalk may be located shall be paved or macadamized in the centre thereof and curbed and guttered. The grading of streets, avenues and alleys within said new limits shall be paid by the city out of the general revenues.

No. 33. Amend article eight, section fifteen, by striking out the words "and in all cases where a majority" and insert the following: "and a majority in interest as shown by the books of the assessor."

No. 34. Amend by striking out "now," article eight, section six, line ten.

No. 35. Amend "miscellaneous provisions," section ten, by striking out the word "April" and insert "May" wherever it occurs in that section.

No. 36. Amend "miscellaneous provisions" by striking out section fourteen and substituting the following: This act shall be submitted to the qualified voters of St. Louis county on the Tuesday after the first Monday in April, 1871, for their approval or disapproval, and if approved by a majority of said voters, it shall take effect and be in force on the thirtieth day after said approval. The election for this purpose shall be called by the county court of St. Louis county as a special election, and the same shall be conducted at the election precincts as now provided in said county, and in the manner and under

the same laws that control elections in said county. The county court shall authorize the persons appointed by the city of St. Louis as judges of the municipal election to be held in said city in April, 1871, to act as judges of the special election aforesaid within the said city of St. Louis, and said court shall furnish said judges with separate ballot boxes, into which shall be deposited the ballots for or against the consolidation act, and no other ballot shall be placed in said boxes. The tickets for the said special election, shall have written or printed thereon, one of the following sets of words, to wit:

Consolidation—Yes!

Consolidation—No!

The returns of this special election shall be made in the mode now provided by law for other elections, and the clerk of the county court of said county shall certify to the Secretary of State the result of said returns.

No. 37. Amend by adding new section :

Sec. 15. This act shall take effect and be in force from and after its passage.

Were read.

Mr. Pope, of the St. Louis Delegation, submitted the following report :

MR. SPEAKER: The special committee on St. Louis local matters, have had under consideration

House bill No. 97,

And after full and mature deliberation, have failed to agree upon the recommendation to be made thereon.

The minority of said committee, six out of fourteen, can find but little, if any, practical benefit to be derived to said city from the adoption of this bill, even with the best amendments that the whole committee could mature.

And, even though some benefits might be shown for the city, yet there are provisions of the bill which, in the mind of the minority, are unconstitutional, and still others, that would work a wrong to the people living in the county outside the city limits.

In that territory there are several incorporated towns whose charters would be annulled, and there are vested rights under said charters, which cannot be destroyed by laws of this kind, except by the full consent of the people of these towns.

And the people in so large a district of country as that within St. Louis county, outside of said city, should not be compelled to become a part of the city, except upon their own choice, shown by an election of their own, unaffected by the vote of that part of the county lying within said city. For these and many other potent reasons, the minority recommend that the bill do not pass.

In order to enable the city of St. Louis more perfectly to subserve the interests of her people within her present limits and under her present charter, in accordance with the recommendations of the city council of said city, to submit the accompanying bill supplementary to and amendatory of the present charter of the city of St. Louis, approved March 4, 1870, and recommend its passage as a substitute for or in lieu of the bill No. 97.

W. S. POPE,
JNO. F. FASSEN,
W. L. HICKMAN,
ANDREW AUER,
CHAS. BORG,
AUGUST KOCH.

But does not recognize above objection protest on account of undue haste in forcing this bill on the people ;

Which was read.

Together with the substitute recommended by the minority of the St. Louis Delegation ;

Which was read the first time, rules suspended, read the second time, and, on motion,

Mr. Fassen presented a petition of citizens of St. Louis county, remonstrating against any consolidation of the city and county governments of said county ;

Which was read.

Mr. Claiborne moved that the amendments reported by the majority of the delegation be considered in a body.

Mr. Koch moved to amend by considering the amendments singly ;

Which was not agreed to.

The question recurred on the motion of Mr. Claiborne ;

Which was then agreed to.

Mr. Koch offered the following amendment to the amendment :

Strike out in amendment No. 35, written bill, all between "the following," in third line, and "the election," in the tenth line, and insert the following :

The submission of this bill shall be submitted separately to the people of the county of St. Louis, outside of the city, and to the people of the county within the city, and unless it be approved by a majority of both the legal voters in the county districts of the county, and to the legal voters of the city, it shall have no effect whatever ; but if it shall be so approved by a majority of both the said classes of voters, separately counted, then the bill shall take effect on the Tuesday after the first Monday of August, 1871 ;

Which was read.

Pending the consideration of which,

On motion of Mr. Claiborne,

The House adjourned until to-morrow morning at 10 o'clock.

SATURDAY, MARCH 11, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. McMillan,
The further reading of the journal was dispensed with.

Mr. McMillan presented the credentials of Thomas P. Price, member elect from the county of Newton, to fill the vacancy caused by the death of Hon. Lyman Beeman.

Mr. Price came forward and was sworn in a member of the Twenty-sixth General Assembly, by the Speaker.

Mr. Myers called up his motion to reconsider the vote by which the Committee on Claims was instructed to report by bill in the Siegel & Bobb Claim.

The motion to reconsider was agreed to.

The question then recurred on the adoption of the resolution offered by the Committee on Claims on January 28th.

The following communication was received from his Excellency, Governor B. Gratz Brown, by his secretary, Mr. Judson:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 11, 1871.

To the Honorable Speaker of the House of Representatives :

I have this day approved the following bill from the House :

An act to amend an act entitled an act to incorporate the city of Weston, approved March 3, 1851.

Respectfully,

B. GRATZ BROWN.

Which was read.

Mr. Pauley demanded the previous question, being on the adoption of the resolution submitted by the Committee on Claims ;

Which was agreed to,

And the main question ordered.

Messrs. Knott and McMillan having demanded the ayes and noes, it was agreed to by the following vote :

AYES—Messrs. Abington, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Brown of Howard, Brown of Monroe, Bulkley, Butler, Claiborne, Cloud, Crockett, Davis, Doak, Dolman, Edwards, Fassen, George, Goodson, Hardin, Harmon, Hickman, Hutt, Kitchen, Leeper, Logan, Martin of St. Louis, Maupin, McAllister, Mitchell, Moore of Livingston, Mortell, Murphy, Myers, Neal, Newman, Pauley, Pope, Richardson, Robinson, Samuel, Scoville, Shafer, Sharp, Sloan, Smith, Stone, Thomas, Wielandy, Wight of Vernon, Williams of Audrain and Mr. Speaker—56.

NOES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Barnes, Breazeale, Buller, Burrows, Chilton, Clark, Collier, Dean, Dent, Dod, Dolle, Eubanks, Frost, Gates, Girdner, Gray, Haas, Hooper, Howell, Knott, Koch, Langston, Latshaw, Leach, Marlin, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Norris, O'Bannon of Pettis, Raney, Randall, Rolston, San-

ford, Shields, Sides, Sorrell, Stancil, Steele, Turner, Van Roden, Von Kochtitzky, White of Texas, Wilkes, Williams of Morgan and Worden—54.

Absent—Messrs. Bass, Bohn, Bradshaw, Buckham, Burton, Colcord, Coleman, Edens, Mabrey, Schooley, Shewalter, Squires and Walker—12.

Absent with leave—Messrs. Bosbyshell, Bunch, Hubbell, Kost, Lamson, McPike, Ming, Murray and Ray—9.

Excused—Mr. Price—1.

Sick—Messrs. Abbee, Gratiot, Hackman and O'Bannan of Dallas—4.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

House bill No. 397,

Beg leave to report that they have had the same under consideration and recommend that it do pass;

Which was read.

House bill No. 397, entitled

An act to amend section four of article nine entitled "of miscellaneous provisions" of an act entitled an act to amend an act entitled an act to incorporate the town of Holden, in Johnson county, approved January 28, 1870,

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barrett, Bell, Beltrami, Borg, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Butler, Claiborne, Clark, Collier, Crockett, Davis, Dean, Doak, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Kitchen, Knott, Koch, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Neal, Norris, O'Bannon of Pettis, Pauley, Price, Pope, Raney, Randall, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Von Kochtitzky, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—101.

NOES—None.

Absent—Messrs. Barnes, Bass, Bennett, Bittinger, Bohn, Chilton, Colcord, Cloud, Coleman, Edens, Hutt, Leeper, Mabrey, Moore of Livingston, Myers, Newman, Richardson, Schooley, Squires, Walker and Wielandy—12.

Absent with leave—Messrs. Boshyshell, Burton, Hubbell, Kost, Lamson, McPike, Ming, Murray, O'Bannon of Dallas and Ray—10.

Sick—Messrs. Abbee, Bradshaw, Bunch, Gratiot and Hackman—5.

The title of the bill was then read and agreed to.

Mr. Rolston moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 208, entitled

An act to establish a probate and common pleas court in Dade county,

Have had the same under consideration and beg leave to report a substitute therefor, with the following amendment to the substitute, and would recommend that the substitute as amended do pass;

Which was read.

House bill No. 208, entitled

An act to establish a probate and common pleas court in Dade county,

Was taken up, together with a substitute recommended by the committee.

The committee recommended the following amendment to the substitute:

Amend section fourteen, as follows:

"Whenever real estate shall be levied upon by virtue of any execution issued upon any judgment or decree of said court, or by virtue of any order, judgment or decree of sale therein rendered, the same shall be sold during the several regular terms of said court after said order, judgment or decree of sale shall have been obtained, and said sale shall be governed in all respects by the General Statutes of Missouri, applicable to cases of the same kind in the circuit courts of the State;

Which was read and agreed to.

On motion, the substitute was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Borg, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Butler, Chilton, Claiborne, Clark, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Harmon, Hickman, Hooper, Howell, Kitchen, Knott, Koch, Langston, Latshaw, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, McAllister, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shewalter, Sides, Sloan, Sorrell, Stancil, Steele, Stone, Thomas, Tur-

ner, Van Roden, VonKochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—95.

NOES—None.

Absent—Messrs. Bass, Bennett, Bittinger, Bohn, Bulkley, Burton, Cloud, Colcord, Coleman, Collier, Edens, Hardin, Hutt, Leach, Leeper Maupin, McMillan, Mabrey, Moore of Livingston, Myers, Ray, Richardson, Schooley, Shields, Smith, Squires and Walker—27.

Absent with leave—Messrs. Bosbyshell, Hubbell, Kost, Lamson, McPike, Ming, Murray, Ray and Randall—9.

Sick—Messrs. Abbee, Bradshaw, Bunch, Gratiot, Hackman and O'Bannan of Dallas—6.

The title was read and agreed to.

Mr. Olark moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Honorable the Speaker of the House of Representatives:

The Judiciary Committee, to whom was referred

House bill No. 41, entitled

An act to establish the Shelbina court of common pleas,

Have had the same under consideration and instructed me to report the within substitute therefor entitled:

An act to establish the Shelbina court of common pleas, with probate jurisdiction,

With recommendation that it do pass.

Which was read.

House bill No. 41, entitled

An act to establish the Shelbina court of common pleas,

Was taken up, together with a substitute recommended by the committee;

Which was read, and the bill and substitute laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives:

The Judiciary Committee, to whom was referred

House bill No. 154, entitled

An act in relation to the costs of certified records used as evidence in judicial proceedings,

Have had the same under consideration and have instructed me to report back the within substitute thereto, with recommendations that it do pass.

House bill No. 154, entitled

An act in relation to the costs of certified records used as evidence in judicial proceedings,

Was taken up, together with the substitute recommended by the committee.

Was read, and the bill and substitute was laid over informally.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives :

The Judiciary Committee, to whom was referred

House bill No. 300,

Beg leave to report that they have had the same under consideration, and have instructed me to report back the within substitute entitled:

An act to amend chapter eighty-three of the General Statutes of Missouri, the same being chapter one hundred and thirty-one of Wagner's Statutes, by adding a new section thereto,

With the recommendation that the substitute do pass ;

Which was read.

House bill No. 300, entitled

An act to amend chapter eighty-three of the General Statutes, being chapter one hundred and thirty one of Wagner's Statutes, by adding a new section thereto,

Was taken up, together with a substitute recommended by the committee;

Was read and laid over informally.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred

House bill No. 31,

Have had the same under consideration and have requested me to report the same back with the recommendation that it pass ;

Which was read.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives :

The Judiciary Committee, to whom was referred

House bill No. 407, entitled

An act to amend section eighteen of an act entitled an act to create a court of common pleas in Clark county, approved March 25, 1870.

Have had the same under consideration, and have instructed me to report back to the House the within substitute therefor, entitled

An act to amend section eighteen of an act entitled an act to create a court of common pleas in Clark county, approved March 25, 1870.

With the recommendations that the substitute do pass ;

Which was read, together with a substitute recommended by the committee and laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives :

The Judiciary Committee, to whom was referred

House bill No. 184,
Have had the same under consideration, and have instructed me
to report back the within substitute therefor, entitled
An act to establish a probate court in the county of Macon,
With the recommendations that it do pass;
Which was read.

House bill No. 184, entitled
An act to establish a court of probate in the county of Macon,
Was taken up, together with a substitute recommended by the
committee, and laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives:

The Judiciary Committee, to whom was referred
House bill No. 386, entitled

An act to amend section one of chapter one hundred and twenty-nine of the General Statutes of Missouri, same being section one of chapter fifty-four of Wagner's Statutes, concerning descents,

Have had the same under consideration, and the undersigned members of said committee have instructed me to report it back to the House with the recommendations that it do pass;

Which was read.

House bill No. 386, entitled

An act to amend section one of chapter one hundred and twenty-nine of the General Statutes of Missouri, same being section one of chapter fifty-four of Wagner's Statutes, concerning descents,

Was taken up and laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

To the Honorable Speaker and House of Representatives:

The Judiciary Committee, to whom was referred
House bill No. 27, entitled

An act to amend sections five and six of chapter one hundred and thirty of the General Statutes, concerning dower,

Have had the same under consideration, and have instructed me to report back the within substitute therefor, entitled

An act to amend section five of chapter one hundred and thirty of the General Statutes of Missouri, the same being section five of chapter forty-seven of Wagner's Statutes,

With the recommendation that the substitute do pass;

Which was read.

House bill No. 27, entitled

An act to amend sections five and six, of chapter one hundred and thirty of the General Statutes, concerning dower,

Was taken up, together with

A substitute recommended by the committee.

Was read, and the bill and substitute were laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report:

To the Honorable the Speaker of the House of Representatives:

The Judiciary Committee, to whom was referred

House bills No. 123 and 383,

Concerning executors and administrators,

Have had the same under consideration and have instructed me to report back the within substitute entitled

An act to amend chapter one hundred and twenty-one of the General Statutes of Mo., relating to the duties of executors and administrators, respecting money and property, the same being article second of chapter two, of Wagner's Statutes,

With the recommendation that the substitute do pass,
Which was read.

House bills No. 123 and 383

Were taken up,

Together with a substitute recommended by the committee;

Was read and laid over informally.

Mr. Thomas, from the Committee on Judiciary, submitted the following report:

To the Hon. Speaker and House of Representatives:

The Judiciary Committee, to whom was referred

House bill No. 206, entitled

An act to provide for the publication of the proceedings of county courts,

Have had the same under consideration and have instructed me to report it back to the House with the attached amendment, with the recommendation that it do pass as amended;

Which was read.

House bill No. 206, entitled

An act to provide for the publication of the proceedings of county courts,

Was taken up.

The following amendment recommended by the committee:

Amend section one, by striking out all between the words "of," and "all,"

Was read, and the bill and amendment laid over informally.

Mr. Thomas of the Committee on the Judiciary, submitted the following report:

To the Honorable, the Speaker and House of Representatives:

The Judiciary Committee, to whom was referred

House bill No. 186,

Have had the same under consideration and have instructed me to report back the within substitute therefor, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in the county of Macon,

With a recommendation that the substitute do pass;

Which was read.

House bill No. 186, entitled

An act to repeal an act entitled an act to establish a probate and common pleas court in the county of Macon,

Was taken up, together with a substitute recommended by the committee;

Which was read, and laid over informally.

Mr. Thomas, of the Committee on Judiciary, submitted the following report :

To the Honorable Speaker and House of Representatives :

The Judiciary Committee to whom was referred

House bill No. 240, entitled

An act to amend an act entitled an act to establish a common pleas court within and for the county of Cass, approved March 4, 1867.

Have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do pass ;

House bill No. 240,

Was taken up, and laid over informally.

Mr. Thomas, from the Committee on the Judiciary, submitted the following report :

To the Honorable Speaker and House of Representatives :

The Judiciary Committee to whom was referred

House bill No. 175, entitled

An act to establish the twenty-fifth judicial circuit and repeal certain laws,

Have had the same under consideration and have instructed me to report back the within substitute with the recommendation that such substitute do pass ;

Which was read.

House bill No. 175, entitled

An act to establish the twenty-fifth judicial circuit and repeal certain laws,

Was taken up, together with the substitute recommended by the committee ;

Which was read and laid over informally.

Mr. Asher, from the Committee on Local Bills, submitted the following report :

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 408, entitled

An act to provide for the erection of a safe and suitable jail in the counties of Ste. Genevieve,

Have had the same under consideration and report it back with the recommendation that the bill do pass ;

Which was read.

House bill No. 408,

Was taken up, and laid over informally.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report :

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 345, entitled,

An act to amend an act entitled an act to revise and amend the city charter of the City of Kansas, approved March 16, 1870,

Have had the same under consideration, and beg leave to report it back and recommend that the same be amended by striking out section twelve of the same, and as amended, further recommend that the same do pass.

House bill No. 345,
Was taken up, and laid over informally.

Mr. Asher, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 430, entitled

An act to revise and amend an act entitled an act to incorporate the city of California, and acts amendatory thereto, approved November 14, 1857,

Beg leave to report the same back with the accompanying remonstrance, with the recommendation that the bill do pass;

Which was read.

House bill No. 430,
Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 478, entitled

An act to repeal an act to incorporate the town of Rockport, in the county of Atchison, approved December 13, 1855, and to repeal all acts amendatory to said act or in any wise appertaining to the incorporation of said town of Rockport,

Beg leave to report the same back with the recommendation that the bill do pass;

Which was read.

House bill No. 478,
Was taken up, and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 445, entitled

An act to separate the county of Worth from the seventeenth judicial circuit, and to attach the same to the twelfth judicial circuit of this State, and to fix the times for holding the circuit courts of said county,

Have had the same under consideration, and report it back with the recommendation that the bill do pass;

Which was read.

House bill No. 445,
Was taken up, and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 380, entitled

An act authorizing the assessor of Taney county to perfect the assessment of 1870, on real estate,

Beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 380,

Was taken up, and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 422, entitled

An act to ascertain the indebtedness of Franklin county,

Have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it do pass;

Which was read.

House bill No. 422,

Was taken up and, laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 436, entitled

An act to amend an act entitled an act to establish a court of common pleas at the town of Cameron, in Clinton county, approved March 28, 1861;

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 436,

Was taken up, and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 425, entitled

An act to amend the charter of the city of Waverly,

Have had the same under consideration and report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 425,

Was taken up and, laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 409, entitled

An act to authorize the county court of Madison county to levy a special tax to build a county jail and to pay the county debt,

Have had the same under consideration, and report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 409,

Was taken up and, laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 245, entitled

An act to perfect the plat of the original town of Versailles, in Morgan county, and Wyan and Galbraeth's addition thereto,

Beg leave to report the same back with the recommendation that the bill do pass;

Which was read.

House bill No. 245,

Was taken up and, laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 393, entitled

An act to amend section sixteen, chapter sixty-four of the General Statutes, entitled "of macademized, graded and plank road companies," being article three of chapter thirty-seven of Wagner's Statutes,

Beg leave to report the same back with the recommendation that the bill do pass;

Which was read.

House bill No. 393,

Was taken up and, laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 402, entitled

An act to amend an act entitled an act to incorporate the Mount Mora Cemetery Association of St. Joseph, approved February 22, 1851,

Have had the same under consideration, and report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill 402

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 457, entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859,

Beg leave to report it back to the House with the following amendment:

Strike out all that part of section one included in bracket thus [] and insert in lieu thereof the following: "the same to be collected as provided for the collection of taxes in the General Statutes of Missouri."

And that with this amendment that the bill do pass;

Which was read.

House bill No. 459

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 370, entitled

An act to establish a free ferry in Platte county,

Have had the same under consideration, and beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 370

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills to whom was referred

House bill No. 283, entitled

An act to repeal an act entitled an act to establish a probate court in Madison county.

Have had the same under consideration, and beg leave to report the same back with the recommendation that the bill do pass;

Which was read.

House bill No. 283

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 226, entitled

An act to amend an act entitled an act to establish probate courts in the counties of Greene, Polk, Barry, Newton and Cedar, approved February 11, 1847,

Beg leave to report the same back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 226

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 462, entitled

An act to enable the clerk of the county court of Atchison county to advertise delinquent lists for the year 1869,

Beg leave to report it back with the recommendation that the bill do pass;

Which was read.

House bill No. 462

Was taken up and laid over informally.

Mr. Asher, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

No. 295, entitled

An act to amend sections two, three and four of an act entitled an act in relation to certain records of Howard, Ray and Carroll counties, approved March 24, 1870,

Have had the same under consideration and beg leave to report it back to the House with the recommendation that the bill do pass;

Which was read.

House bill No. 295

Was taken up and laid over informally.

Mr. Mitchell, of the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

House bill No. 173,

Beg leave to report that they have had the same under consideration and recommend the passage of the same with the following amendments;

Which was read.

House bill No. 173

Was taken up, together with the following amendments recommended by the committee:

Amend section one by striking out all between the word "of," in line one, and the word "approved," in line three, and inserting in lieu thereof the words "an act entitled an act to incorporate the Lexington and Utica Railroad Company."

Amend section two by striking out all before the word "is," in line four, and inserting in lieu thereof the following: "Section 2. Section twelve of the above recited act;"

Which was read and laid over informally.

On motion of Mr. Pauley,

House bill No. 88, entitled

An act to amend section two of chapter ninety-three of the General Statutes of 1865,

Was taken up, the rules suspended, read the third time and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Borg, Buller, Butler, Olaiborne, Cloud, Collier, Crockett, Davis, Doak, Dolle, Dolman, Edens, Edwards, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Harmon, Hickman, Hooper, Howell, Knott, Leach, Logan, Marshall, Martin of St. Louis, Maupin, McAllister, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Richardson, Robinson, Scoville, Shewalter, Shields, Sides, Sloan, Sorrell, Stancil, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Worden and Mr. Speaker—71.

NOES—Messrs. Abington, Asher, Bennett, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burrows, Olark, Dean, Dent, Dod, Eubanks, Haas, Kitchen, Langston, Latshaw, Leeper, Marlin, Martin of Caldwell, McMillan, Miller, Moore of Stone, Neal, Price, Rolston, Samuel, Schooley, Shafer, Sharp, Smith, Steele, Turner, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—29.

Absent—Messrs. Bass, Bittinger, Bohn, Burton, Ohilton, Coleman, Hardin, Hutt, Koch, Mabrey, Walker and Sanford—12.

Absent with leave—Messrs. Bosbyshell, Colcord, Hubbell, Kost, Lamson, McPike, Ming, Murray, Ray and Squires—10.

Sick—Messrs. Abbee, Bunch, Gratiot, Hackman and O'Bannan of Dallas—5.

Mr. Pauley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

The following message was received from the Senate, by its Assistant Secretary, Mr. Griffin:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

Senate bill No. 30, entitled

An act in relation to courts;

And agreed to the amendment submitted by the House.

Also, Senate bill No. 27, entitled

An act repealing the acts establishing the Kansas City court of common pleas,

And agreed to House amendments;

Also, Senate concurrent resolution No. 22, entitled

Concurrent resolution for adjournment,

And agree to House amendments;

Also, Senate bill No. 164, entitled

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two, of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb,"

And agreed to House amendment.

Also, Senate bill No. 104, entitled

An act to amend an act entitled an act extending the authority and jurisdiction of the board of health of the city of St. Louis, over the district of country outside of said city to the extent of three miles from the corporate limits thereof, approved March 24, 1870,"

And agreed to House substitute therefor;

Which was read.

Mr. Mullings offered the following resolution:

Resolved, That Wednesday next be set apart for the consideration of reports from standing committees on bills of general nature; Which was read and adopted.

Mr. Knott rose to a question of privilege, and announcing the death of Hon. Geo. W. Hammett.

Mr. Williams from Audrain, offered the following resolutions:

WHEREAS, It has pleased Divine Providence to remove from our midst our friend and fellow member, the Hon. Geo. W. Hammett of Montgomery county, Missouri; therefore, be it

Resolved, That we bow in meek submission to the will of Him who doeth all things well.

Resolved, That the community which he so ably represented has in his death suffered an irreparable loss.

Resolved, That we sincerely sympathize with the friends of the deceased in their bereavment.

Resolved, That the members of this House wear the usual badge of mourning for thirty days.

Resolved, That as a token of respect to the memory of the deceased, this House do now adjourn until Monday morning at 10 o'clock.

Resolved, That a copy of these resolutions signed by the Speaker and Chief Clerk, be transmitted to the family of the deceased;

Which were read and unanimously adopted.

The Speaker declared the House adjourned until 10 o'clock Monday morning.

MONDAY, MARCH 13, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Goodson,
The further reading of the journal was dispensed with.

The House resumed the consideration of
House bill No. 356, entitled
An act to provide for the opening and repairing of public roads
and repealing all former and existing acts relating to same.
Mr. Thomas moved to reconsider the vote by which section one
was adopted;
Which was agreed to.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there have been introduced into the Senate and passed that body:

Senate bill No. 130, entitled

An act supplementary to and amendatory of an act entitled an act to establish the 23d judicial circuit, and to provide for the election of a judge and circuit attorney, and for other purposes, approved February 1, 1871;

Senate bill No. 138, entitled

An act to refund to the Girls' Industrial Home two hundred and seventy-three dollars and fifty-six cents;

Senate bill No. 118, entitled

An act to provide for paying the salary of the Commissioner of Statistics for the year eighteen hundred and sixty-seven;

Senate bill No. 191, entitled

An act appropriating money for the use of the Lunatic Asylum;
In which the concurrence of the House is respectfully requested;
Which was read.

Mr. Adams of Butler offered the following resolution:

Resolved, That no member shall be allowed to speak more than five minutes while discussing the bill now under consideration, or any substitute or amendment thereto,

Which was read.

Mr. Adams of Butler moved the previous question.

Being on the adoption of his resolution;

Which was agreed to.

Mr. Neil moved to lay the resolution on the table, and demanded the ayes and noes on his motion.

The motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Abbee, Asher, Davis, Dent, Dolman, Eubanks, Harmon, Kost, Lamson, Martin of Caldwell, Mitchell, Moore of Livingston, Neal, Schooley and Williams of Morgan—15.

NOES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barrett, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Buckham, Buller, Burrows, Burton, Butler, Chilton, Clark, Cloud, Colcord, Crockett, Dean, Doak, Dod, Dolle, Edwards, Frost, George, Girdner, Goodson, Gray, Haas, Hooper, Howell, Hubbell, Hutt, Knott, Langston, Latshaw, Leach, Leeper, Marlin, Marshall, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Moore of Stone, Mor-

tell, Mullings, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Pope, Raney, Richardson, Robinson, Samuel, Sanford, Scoville, Shafer, Sides, Smith, Sorrell, Stancil, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—79.

Absent—Messrs. Adams of Gentry Auer, Barnes, Bass, Bell, Beltrami, Borg, Brown of Howard, Brown of Monroe, Bulkley, Claiborne, Coleman, Collier, Edens, Fassen, Gates, Hardin, Hickman, Kitchen, Koch, Logan, Martin of St. Louis, Myers, Pauley, Pope, Randall, Ray, Rolston, Sharp, Shields, Sloan, Steele, Walker and White of Texas—34.

Absent with leave—Messrs. Ming, Stone, and Von Kochtitzky—3.

Sick—Messrs. Bunch, Gratiot, Hackman, Hammett, O'Bannan of Dallas, Shewalter and Wilkes—6.

The resolution offered by Mr. Adams was then adopted.

The House resumed the consideration of House bill No. 356.

Mr. Thomas offered the following amendment:

Amend section one by adding thereto the following: "in the following counties in this State, viz.: Laclede, Saline, Osage, Douglas, Taney, Howell, Dent, Reynolds, DeKalb, Buchanan, Dunklin, Ozark, Butler, Wayne, Shannon, Ripley, Oregon, St. Francois, Scott, Hickory, Carter, Camden, Pemiscot, Stoddard, Wright, Pulaski, Texas, Christian, Webster, Callaway, Miller, Newton, Audrain, Dallas, Phelps, Maries, Dade, Howard, Boone, Crawford, Marion, Randolph, Perry, Lafayette, Clay and Clinton;

Which was read.

Mr. Mullings offered the following amendment to the amendment:

Amend by adding "and all other counties that may adopt this act through the county courts, on a petition of a majority of the qualified voters of the county;"

Which was read and agreed to.

Mr. Asher moved to lay the bill and pending amendment on the table.

Mr. Thomas demanding the ayes and noes, the motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Adams of Gentry, Asher, Bulkley, Edens, Eubanks, Harmon, Hooper, McAllister, Moore of Livingston, Neal, Robinson and Sharp—12.

NOES—Messrs. Abbee, Abington, Adams of Butler, Alsop, Applegate, Ballard, Barnes, Barrett, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulter, Burrows Burton, Butler, Chilton, Clark, Colcord, Cloud, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McPike, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Price, Raney, Randall, Richardson, Samuel, Sanford, Sharp, Sorrell, Stancil, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of

Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—86.

Absent—Messrs. Auer, Bass, Bell, Borg, Brown of Monroe, Bunch, Claiborne, Coleman, Fassen, Hickman, Kitchen, Koch, Langston, Latshaw, Logan, Martin of St. Louis, McMillan, Ming, Myers, Pauley, Pope, Ray, Rolston, Schooley, Scoville, Shewalter, Shields, Sloan, Smith, Steele, Stone, Von Kochtitzky, Walker and White of Texas—35.

Sick—Messrs. Gratiot, Hackman, O'Bannan of Dallas and Wilkes—4.

The amendment of Mr. Thomas, as amended, was then agreed to.

Leave of absence was granted to Mr. Von Kochtitzky for one day.

Mr. Dod offered the following substitute for section 47:

For the purpose of raising the necessary funds to defray the expenses of opening, repairing, and improving the public roads, the county courts are hereby authorized to levy a road poll tax of three dollars on each able-bodied male citizen, between the ages of twenty-one and fifty years; and a special property tax, not exceeding two and a half mills on the dollar, on all taxable property of the respective counties, which taxes shall be levied and collected as other taxes are by law required to be levied and collected. The tax collected under this section in each municipal township shall be apportioned to such township for the working of the roads therein. The taxes required by this section to be levied and collected may be paid by the tax debtor, under the direction of the proper road overseer by work on the public roads, at the following rates: One man, per day, one dollar and fifty cents; a wagon, cart, plow or scraper, with one team, three dollars per day;

Which was read.

Mr. Adams moved to reject.

Mr. Dod demanded the ayes and noes.

The motion to reject was agreed to by the following vote:

AYES—Messrs. Adams of Butler, Alsup, Applegate, Ballard, Barnes, Barrett, Bennett, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Burton, Butler, Chilton, Clark, Davis, Dean, Dent, Doak, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Howell, Hubbell, Knott, Latshaw, Leeper, Marlin, Marshall, Maupin, Mabrey, McPike, Miller, Mitchell, Murphy, Murray, Newman, Norris, Price, Raney, Randall, Richardson, Samuel, Sides, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Wielandy, Wight of Vernon, Williams of Audrain and Worden—61.

NOES—Messrs. Abbee, Adams of Gentry, Asher, Beltrami, Bohn, Buckingham, Bulkley, Buller, Burrows, Cloud, Crockett, Dod, Dolman, Eubanks, Haas, Harmon, Hooper, Hutt, Kost, Lamson, Langston, Martin of Caldwell, McAllister, McMillan, Moore of Livingston, Mullings, Neal, O'Bannon of Pettis, Robinson, Schooley, Scoville, Shafer, Sharp, Shields, Smith, Van Roden and Williams of Morgan—37.

Not Voting—Mr. Speaker—1.

Absent—Messrs. Abington, Auer, Bass, Bell, Bittinger, Borg, Brown of Monroe, Olaiborne, Colcord, Coleman, Collier, Fassen, Hardin, Hickman, Kitchen, Koch, Leach, Logan, Martin of St. Louis, Moore of Stone, Mortell, Myers, Pauley, Ray, Rolston, Sanford, Sloan, Walker and White of Texas—29.

Absent with leave—Messrs. Ming and Von-Kochtitzky—2.

Sick—Messrs. Bunch, Gratiot, Hackman, O'Bannan of Dallas, Shewalter and Wilkes—6.

On motion of Mr. Hubbell,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The House resumed the consideration of
House bill No. 356, entitled

An act to provide for the opening and repairing of public roads, and repealing all former and existing acts relating to same.

Mr. Buller offered the following amendment to section forty-seven:

Amend by adding at the end of the section the following, to-wit:

"Not less than one nor more than six days in any one year, except in cases of extraordinary emergency, and for the purpose of raising funds to pay for the opening, repairing and improving of public roads, the county courts of the several counties, may, if they see proper, levy a tax of two mills on the dollar on all the taxable property in the county, which shall be extended in separate columns of the tax-book, and collected in the same manner as other State and county taxes. And when such tax shall be levied, any person desiring to pay the same or any part thereof in work in the proper road district, may do so at the rate of one dollar and fifty cents for each day, and obtain a receipt from the overseer of such district for the same, which shall be good in payment of so much of such tax; *provided*, that no tax shall be levied upon the property of any resident widow or unmarried woman who does not possess more than one thousand dollars' worth of property, *and provided, further*, that where such tax is levied no person shall be required to work more than two days on the roads in any one year, except in payment of tax or in case of extraor-

dinary emergency, and no person shall receive any credit upon his road tax until he has done two days' work on the roads in his district, or in that in which his property may be situated;

Which was read.

Mr. Leeper moved to reject the amendment;

Which was agreed to.

Mr. Burrows offered the following resolution:

Resolved, That the bill under consideration and amendments, with substitute, be referred to a select committee of nine, one from each congressional district; said committee to be excused from further labors upon this floor until to-morrow morning at 10 o'clock, at which time they are required to report by bill;

Which was read and not agreed to.

Mr. Edwards offered the following amendment:

SEC. 47. Amend by adding after the word road in the second line, the following: "And for the purpose of opening, repairing and improving public roads, and raising the necessary funds to pay the expenses of such opening, repairing and improvement, the county courts of those counties not named in the first section of this act, having ten thousand inhabitants, may levy a special tax of not more than two mills on the dollar on all taxable property in the county, and have the same collected in like manner, and with the same effect as the State and county revenue is required to be collected; *provided*, that the road tax against each individual in each road district shall be certified by the clerk of the county court to the overseer of each road district, which may be worked out by any individual at the rate of one dollar and fifty cents per day; *and provided further*, that said court shall annually, apportion the amount of the road tax so assessed and collected, to the several districts according to the value of the assessed property in said district;

Which was read and agreed to.

Mr. Kost offered the following substitute for section forty-seven:

Substitute for section forty-seven:

SEC. 47. All able-bodied male inhabitants between the ages of twenty-one and fifty years, having resided in the road district one month, shall be subject to work on the public roads, and shall be called out to work by the road overseer, not less than two nor more than ten days in any one year. The county court in each county shall also levy a road tax of not less than one nor more than two and a half mills on the dollar of all taxable property within the county. This shall be known as the "road tax," it shall be levied and collected the same as other county tax, shall be placed in a separate column on the tax books, and when so collected, shall be returned and expended in the township from which it was collected, and as near as possible in the road district; *provided*, that the tax so levied may be worked out upon the roads under the supervision of the overseer, at the rate of \$1.50 for each days' labor;

Which was read.

Mr. Buller offered the following resolution:

Resolved, That section forty-seven and the amendments offered thereto be referred to a special committee of nine, consisting of one from each Congressional district, with instructions to report to-morrow morning at 10 o'clock;

Which was read.

Mr. Maupin moved to reject.

Mr. Asher demanding the ayes and noes, the motion to reject was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barnes, Barrett, Bell, Bennett, Bosbyshell, Bradshaw, Brown of Monroe, Buckham, Burton, Butler, Chilton, Colcord, Collier, Davis, Dean, Doak, Edens, Edwards, Frost, Gates, George, Goodson, Gray, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Murphy, Newman, Norris, Price, Raney, Randall, Richardson, Samuel, Sharp, Sides, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—68.

NOES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bittinger, Bohn, Breazeale, Brown of Howard, Bulkley, Buller, Claiborne, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Eubanks, Girdner, Haas, Hackman, Hardin, Harmon, Hooper, Lamson, Langston, Leach, Marlin, Moore of Livingston, Moore of Stone, Mortell, Mullings, Neal, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, Shields, Smith and Van Roden—42.

Absent—Messrs. Bass, Beltrami, Borg, Burrows, Clark, Coleman, Fassen, Hickman, Koch, Latshaw, McMillan, Murray, Myers, O'Bannon of Pettis, Pauley, Pope, Ray, Steele, Walker, White of Texas, Wilkes and Williams of Morgan—22.

Absent with leave—Mr. Von Kochtitzky—1.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas and Shewalter—4.

Mr. Mullings moved the previous question, being on the bill and amendments;

Which was ordered.

The substitute offered by Mr. Kost was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Barrett, Bennett, Bittinger, Bohn, Brown of Howard, Buckham, Bulkley, Burrows, Butler, Clark, Cloud, Collier, Crockett, Dent, Dod, Dolle, Eubanks, Frost, Girdner, Haas, Hackman, Harmon, Hooper, Kost, Lamson, Langston, Leach, Logan, Marlin, Martin of Caldwell, McAllister, McMillan, Moore of Livingston, Moore of Stone, Mullings, Neal, O'Bannon of Pettis, Robinson, Rolston, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Smith, Van Roden, Wight of Vernon, Williams of Morgan and Worden—55.

NOES—Messrs. Abington, Adams of Butler, Alsup, Ballard, Barnes, Bass, Bell, Bosbyshell, Bradshaw, Breazeale, Buller, Burton, Chilton, Claiborne, Colcord, Davis, Dean, Doak, Edens, Edwards, Gates, George, Goodson, Gray, Hardin, Howell, Hubbell, Hutt, Kitchen, Knott, Latshaw, Leeper, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Murphy, Murray, Newman, Norris, Pope, Price, Raney, Randall, Richardson, Samuel, Sides, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Wielandy, Williams of Morgan and Mr. Speaker—59.

Absent—Messrs. Auer, Beltrami, Borg, Brown of Monroe, Coleman, Dolman, Fassen, Hickman, Koch, Mortell, Myers, Pauley, Ray, Sloan, Steele and Walker—16.

Absent with leave—Mr. Von Kochtitzky—1.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter, White of Texas and Wilkes—6.

Mr. Mullings withdrew his demand for the previous question.

By unanimous consent the counties of Perry, Marion, Phelps, Clay and Howard were excepted from the provisions of the act.

Mr. Marshall offered the following amendment:

Amend by adding the following new section:

SEC. —. The road scrapers and plows now belonging to the several road districts shall be delivered by the overseer in whose charge the same may be upon the passage of this act, to the districting justice or justices of their townships; and the said justices shall take charge of the same and assign them to the several newly appointed overseers or divisions of their townships, having due regard to the rights of the old districts having purchased the same, and may reassign to other districts as the nature of the case may require;

Which was read and agreed to.

Mr. Knott offered the following amendment to section forty-seven: Strike out the words "having ten thousand inhabitants;"

Which was read and agreed to.

Mr. Mullings renewed his motion for the previous question;

Which was ordered.

On motion, the bill was considered engrossed and read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bosbyshell, Bradshaw, Breazeale, Buckham, Bulkley, Burton, Butler, Chilton, Claiborne, Clark, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Newman, Norris, Pope, Price, Raney, Randall, Richardson, Samuel, Sanford, Shields, Sides, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Wielandy, Williams of Audrain, Worden and Mr. Speaker—87.

NOES—Messrs. Abbee, Adams of Gentry, Asher, Bohn, Beltrami, Brown of Howard, Bulkley, Buller, Burrows, Cloud, Dod, Eubanks, Harmon, Hooper, Kost, Leach, Martin of Caldwell, McAllister, McMillan, Moore of Stone, Mullings, Neal, O'Bannon of Pettis, Robinson, Rolston, Schooley, Scoville, Shafer, Sharp, Wight of Vernon and Williams of Morgan—31.

Absent—Messrs. Borg, Dolman, Fassen, Hickman, Myers, Pauley, Ray, Shewalter, Smith, Sloan, Steele, Walker and White of Texas—13,

Absent with leave—Messrs. Coleman and Von Kochtitzky—2.

Sick—Messrs. Bunch, O'Bannon of Dallas, Sharp and Wilkes—4.

The title of the bill was then read.

Mr. Thomas offered the following amendment:
Strike out all after the word "road," and insert "in certain counties in this State;"

Which was agreed to.

The title, as amended, was then agreed to.

Mr. Leeper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Leave of absence was granted to Mr. Chilton until the end of the present session.

On motion of Mr. Pope,
The rules were suspended, and
House bill No. 161, entitled

An act to provide for the security of persons in public buildings and other buildings and places of public resort,

Was taken up.

Mr. Davis offered the following amendment:

Amend by striking out the enacting clause;

Which was read and not agreed to.

Mr. Kost offered the following amendment:

Amend by excepting school houses and churches of one room and on the ground floor;

Which was read and agreed to.

Mr. Thomas offered the following amendment:

Insert after the word "excepting," line three, "in cities having a population of six thousand inhabitants;"

Which was read and not agreed to.

The bill was then read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burrows, Burton, Butler, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—111.

NOES—Messrs. Abbee, Alsup, Davis, Dean and Girdner—5.

Absent—Messrs. Borg, Brown of Monroe, Fassen, Gray, Hickman, Koch, Ray, Schooley and Walker—9.

Absent with leave—Messrs. Ohilton, Coleman and Von Kochtitzky—3.

Sick—Messrs. Bunch, Gratiot, O'Bannan of Dallas, Ray, Shewalter, Schooley, Steele, White of Texas and Wilkes—9.

The title was read and agreed to.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that Senate bills of the following titles have been presented to the Governor for his signature, to wit:

An act to amend sections four, sixteen, seventeen, twenty-one and twenty-two, of chapter fifty-seven of the General Statutes of Missouri, entitled "of the Asylum for the Education of the Deaf and Dumb,"

An act to extend the jurisdiction of the police court of the city of St. Louis for certain purposes.

An act to repeal an act entitled an act to establish a court of common pleas in the city of Kansas, and all the acts and parts of acts amendatory thereof, and to provide for the disposition and custody of the records, papers and proceedings of said court.

An act in relation to courts;

Which was read.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

House bill No. 42,

Beg leave to report that they have had the same under consideration, and recommend that it do pass, with the following amendments;

Which was read.

House bill No. 42, entitled

An act to amend chapter sixty-three of the General Statutes, "of railroad companies," by adding certain sections thereto,

Was taken up.

The following amendment recommended by the committee:

Amend section one by striking out all after the words "section 53," and insert in lieu thereof the following:

Sec. 53. That any railroad company heretofore incorporated by special laws of this State, may from time to time borrow such sums of money as may be necessary for the completion, equipment or repair of their railroad, or for the funding of any floating debt, or for the making of any addition or extension thereto, authorized by their charter, or for the making connection with any bridge by tunnel or otherwise, and for any or all of the purposes above named, may issue and dispose of their bonds for any amount so borrowed, and may mortgage their corporate property and franchise, or any part thereof, to secure the payment of any debt contracted by the company for the purposes aforesaid or any one of them, and the directors of the company may confer upon the holders of any bond issued for money borrowed as aforesaid, the right to convert the principal due and owing thereon, into stock of said company, at any time not exceeding ten

years from the date of the bond, under such regulations as the directors may see fit to adopt; *provided*, that no bond shall be issued unless authorized by a vote of a majority of the existing capital stock in a meeting of the stockholders, called for that purpose by the directors of said company, and on due notice given in the manner provided by the by-laws for holding meetings of the stockholders;

Which was read and agreed to.

On motion of Mr. Claiborne,

The bill was considered engrossed, the rules were suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Bulkley, Buller, Burrows, Burton, Butler, Chilton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—111.

NOES—Mr. Leeper—1.

Absent—Messrs. Beltrami, Bittinger, Borg, Brown of Monroe, Buckham, Fassen, Gray, Hickman, Kitchen, Koch, Marshall, McMillan, Schooley, Turner, Walker and White of Texas—16.

Absent with leave—Messrs. Coleman, Ray, Steele and Von Kochitzky—4.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter and Wilkes—5.

The title of the bill was then read and agreed to.

Mr. Asher called up

Substitute for House bill No. 407, entitled

An act to amend section eighteen of an act entitled an act to create a court of common pleas in Clark county, approved March 25, 1870;

Was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Asher, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Burrows, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak,

Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, Goodson, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, McAllister, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Pettis, Price, Raney, Randall, Richardson, Robinson, Rolston, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stone, Squires, Thomas, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—88.

NCES—Messrs. Adams of Butler, Alsup, Applegate, Bass, Buller, Dean, George, Girdner, Leeper, Newman, Samuel, Sanford, Sides, and Turner—14.

Absent—Messrs. Auer, Borg, Bradshaw, Brown of Monroe, Buckham, Butler, Edens, Fassen, Gray, Hickman, Kitchen, Koch, Kost, Marshall, Maupin, Mabrey, McMillan, McPike, Pauley, Pope, Schooley, Stancil, Steele, Walker, White of Texas and Williams of Audrain—26.

Absent with leave—Messrs. Chilton, Coleman, Ray and Von Kochtitzky—4.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter, and Wilkes—5.

The title of the bill was read and agreed to.

Mr. Asher moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Barrett, from the Committee on Printing, submitted the following report :

MR. SPEAKER: The Committee on Printing to whom was referred the matter of printing the report of Superintendent of Public Schools, with instructions to report the cost of the same, beg leave to report that the bill rendered for such printing embraces the following items:

Composition—371,110 ems, pica.....	\$1,900 08
89,723 ems, brevier.....	459 38
1,984,896 ems, rule and figure.....	14,860 00
	<hr/>
	\$17,219 46
Binding—650 cloth.....	\$312 00
10 sheep.....	5 68
6,340 paper.....	405 76
	<hr/>
	\$723 44

Total for 7,000 copies..... \$17,942 80

1,000 copies ordered in German not included in the above bill.

All of which is respectfully submitted;

Which was read.

Mr. Samuel offered the following resolution :

WHEREAS, This House did by a resolution allow the State Superintendent of Public Schools 1,000 copies of his published report; therefore, be it

Resolved, 1st, That the Public Printer shall, on or before the 18th day of the present month, deliver the said one thousand copies to the Chief Clerk of the House, and as soon as so delivered, said Chief Clerk shall notify said Superintendent and deliver the same to him or his legal representative; a failure to so deliver by the Public Printer shall forfeit all pay for same.

Resolved, 2d, That the Committee on Public Printing are hereby instructed to inquire into and report to this House whether or not said Public Printer charges for full page when a large portion of same contains only about one-half to three-fourths of solid printed matter. Said committee are further requested and instructed to ascertain whether or not the same has been published in strict compliance with the law and the price so charged in accordance with the provisions of the same;

Which was read,

On motion of Mr. Bittinger,
The House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

House bill No. 448, entitled

An act to repeal an act to establish a probate and common pleas court in the county of Macon;

Was taken up, the rules suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barnes, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Boshyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Burton, Claiborne, Clark Cloud, Colcord, Collier, Dean, Dent, Doak, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Lashaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Raney, Randall, Robinson, Rolston, Samuel, Sanford, Shafer, Sharp, Shields, Sloan, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—98.

NOES—None.

Absent—Messrs. Asher, Ballard, Barrett, Borg, Bradshaw, Bulkley, Butler, Crockett, Davis, Dod, Dolman, Edens, Fassen, Harmon, Hickman, Kitchen, Koch, McMillan, Mitchell, Richardson, Schooley, Scoville, Smith, Stancil and Steele—27.

Absent with leave—Messrs. Chilton, Coleman, Ray, Sides, Von Kochtitzky and Wielandy—6.

Sick—Messrs. Bunch, Gratiot, Marlin, O'Bannon of Dallas, Shewalter and Wilkes—6.

The title was then read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Shafer called up substitute for
House bill No. 41, entitled

An act to establish the Shelbina court of common pleas with probate jurisdiction;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Price, Pope, Raney, Randall, Richardson, Robinson, Rolston Samuel, Sanford, Schooley, Scoville, Sharp, Shafer, Shields, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Williams of Morgan, Williams of Audrain, Worden and Mr. Speaker—106.

NOES—Messrs. Hooper and Leeper—2.

Absent—Messrs. Asher, Barrett, Bradshaw, Borg, Bulkley, Butler, Clak, Dod, Dolman, Edens, Fassen, Gray, Kitchen, Koch, McMillan and Smith—16. ;

Absent with leave—Messrs. Chilton, Coleman, Marlin, Ray, Sides and Von Kochtitzky—6.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter, Steele, White of Texas and Wilkes—7.

The title was read and agreed to.

Mr. Shafer moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Substitute for House bill No. 184, entitled

An act to establish a probate court in the county of Macon,

Was taken up and read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Bass, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burrows, Burton, Claiborne, Clark, Colcord, Crockett, Davis, Dean, Dent, Doak, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—100.

NOES—None.

Absent—Messrs. Barrett, Bohn, Borg, Bradshaw, Bulkley, Butler, Cloud, Coleman, Collier, Dod, Dolman, Edens, Fassen, Gray, Kitchen, Koch, Leeper, Marshall, Maupin, McMillan, Moore of Livingston, Pauley, Schooley, Smith, Steele and Wielandy—26.

Absent with leave—Messrs. Chilton, Marlin, Ray, Sides and Von Kochtitzky—5.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter White of Texas and Wilkes—6.

The title was read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed, and lay his motion to reconsider on the table;
Which was agreed to.

Mr. Stone called for the special order, being
House bill No. 97, entitled

An act to repeal all general and special acts enacted by the General Assembly of the State of Missouri for the government of the city or county of St. Louis, to consolidate said city and county into one corporation, and to prescribe the powers, duties and privileges of the corporation so created;

Which was taken up.

The question being on the amendment offered by Mr. Koch to section thirty-five.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Borg, Buckham, Burrows, Clark, Cloud, Crockett, Dent, Dod, Eubanks, Hackman, Harmon, Hickman, Hooper, Howell, Hubbell, Kitchen, Kost, Lamson, Langston, Leach, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Raney, Robinson, Rolston, Sanford, Schooley, Shafer, Sloan, Sorrell, Van Roden and Williams of Morgan—51.

NOES—Messrs. Abington, Adams of Butler, Ballard, Bass, Bell, Beltrami, Bennett, Bittinger, Bosbyshell, Brown of Howard, Brown of Monroe, Burton, Buller, Chilton, Colcord, Collier, Davis, Dean, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Haas, Hardin, Hutt, Knott, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Pauley, Randall, Richardson, Samuel, Shields, Stone, Squires Thomas, Walker, Wight of Vernon and Mr. Speaker—56.

Absent—Messrs. Bohn, Bradshaw, Breazeale, Bulkley, Clark, Doak, Dolman, Fassen, Gray, Koch, Schooley, Sharp, Sides, Smith, Stancil, Steele, Turner, Wielandy, White of Texas and Williams of Audrain—20.

Absent with leave—Messrs. Butler, Coleman, Marlin, Ray, Von Kochtitzky and Wilkes—6.

Sick—Messrs. Bunch, Gratiot and O'Bannon of Dallas—4.

By the unanimous consent of the House, Mr. Pope withdrew the substitute previously offered by himself, and offered the following substitute for

House bill No. 97, entitled

An act to amend section eight, article eight, section seven, article two, and section three of article eight of an act entitled an act to revise the charter of the city of St. Louis, and to extend the limits thereof, approved March 4, 1870;

Which was read and not agreed to by the following vote:

AYES—Messrs. Abbee, Alsup, Asher, Auer, Barnes, Bohn, Borg, Clark, Crockett, Dent, Dod, Edens, Eubanks, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Marshall, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, Pope, Raney, Rolston, Sanford, Scoville, Sloan, Williams of Morgan and Worden—36.

NOES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Claiborne, Cloud, Colcord, Collier, Davis, Dean, Dolle, Edwards, Frost, Gates, George, Girdner, Goodson, Hardin, Hubbell, Hutt, Kitchen, Knott, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, Pauley, Price, Randall, Richardson,

Robinson, Samuel, Schooley, Shields, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Walker, Wight of Vernon, Williams of Audrain and Mr. Speaker—69.

Absent—Messrs. Abington, Beltrami, Bradshaw, Breazeale, Bulkley, Burrows, Butler, Doak, Dolman, Fassen, Gray, Haas, Howell, Koch, Leach, O'Bannon of Pettis, Shafer, Sharp, Sides, Steele, Turner, Wielandy and White of Texas—33.

Absent with leave—Messrs. Coleman, Marlin, Ray and Von-Kochtitzky—5.

Sick—Messrs. Bunch, Gratiot, O'Bannan of Dallas, Shewalter and Wilkes—4.

Mr. Mortell offered the following amendment to the original bill: Amend section two, article two:

Strike out the whole section and insert the following:

The county court shall consist of twelve justices, to be elected as follows: Seven from the "old limits" of the city of St. Louis, one from Saint Ferdinand township, one from the "new limits," one from Bonhomme and Merimac township, one from Carondelet township for a term of four years; *provided*, that the term of one-half of the members first elected under this act shall be for two years, and thereafter one-half of the members shall be elected every two years for a term of four years. The members so elected shall at their first meeting draw lots for the long term and the short term, so as to divide the said board, leaving four members in the said board from the "old limits" and "new limits," and two members in said board from the remaining townships; and in case said justices or either of them shall fail, neglect or refuse to attend said meeting and draw lots as provided in this act, the justice elected as president of said board shall have power to draw lots for and in behalf of such justice, and the lot so drawn by the president, shall have the same effect under this law as if drawn by the justice himself;

Which was read and agreed to.

On motion of Mr. Stone,

The bill was considered engrossed and read the third time and put upon its passage.

Pending the recording of the vote, a call of the House was demanded by ten members and ordered, whereupon the roll was called and the following gentlemen answered to their names:

Present—Messrs. Abbee, Adams of Butler, Alsup, Applegate, Asher, Auer, Barrett, Barnes, Ballard, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Chilton, Clark, Claiborne, Cloud, Collier, Crockett, Davis, Dean, Dent, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shields, Sides, Sloan, Smith, Stancil, Stone, Thomas, Turner, VanRoden, Walker,

Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—108.

Absent—Messrs. Beltrami, Bradshaw, Burrows, Doak, Dod, Fassen, Koch, O'Bannon of Pettis, Shafer, Sorrell, Squires and Wielandy—12.

Absent with leave—Messrs. Coleman, Ray, Steele and Von-Kochtitzky—4.

Sick—Messrs. Abington, Bulkley, Bunch, Butler, Gratiot, Gray, Howell, Marlin, O'Bannon of Dallas, Sharp, Shewalter, White of Texas and Wilkes—13.

Mr. Colcord moved that further proceedings under the call be dispensed with;

Which was agreed to.

Mr. Mullings moved to adjourn until to-morrow morning at 10 o'clock.

Mr. Neal demanding the ayes and noes.

The motion to adjourn was not agreed to by the following vote:

AYES—Messrs. Abbee, Alsup, Applegate, Asher, Auer, Barrett, Bohn, Borg, Buckham, Clark, Cloud, Crockett, Dent, Dolle, Eubanks, Hackman, Harmon, Hooper, Hubbell, Kitchen, Kost, Lamson, Langston, Leach, Martin of Caldwell, McAllister, Miller, Neal, Pope, Robinson, Rolston, Sanford, Scoville, Smith, Thomas, Williams of Morgan and Worden—37.

NOES—Messrs. Adams of Butler, Ballard, Barnes, Bass, Bell, Beltrami, Bittinger, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Bulkley, Burton, Chilton, Claiborne, Colcord, Coleman, Collier, Davis, Dolman, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Haas, Hardin, Hickman, Hutt, Knott, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, Pauley, Price, Raney, Randall, Richardson, Samuel, Schooley, Shields, Sides, Sloan, Stancil, Stone, Turner, Van Roden, Walker, Wight of Vernon, Williams of Audrain and Mr. Speaker—71.

Absent—Messrs. Adams of Gentry, Bunch, Burrows, Dean, Doak, Dod, Fassen, Koch, O'Bannon of Pettis, Shafer Sharp, Sorrell, Squires and Wielandy—14.

Absent with leave—Messrs. Collier, Gray, Howell, Marlin, Ray, Steele, Von Kochtitzky, White of Texas and Wilkes—9.

Sick—Messrs. Abington, Buller, Butler, Gratiot, O'Bannon of Dallas and Shewalter—6.

The Speaker ordered the Chief Clerk to call the absentees, whereupon,

Mr. Neal appealed from the ruling of the Speaker.

On the question "shall the Speaker be sustained?"

Mr. Neal demanded the ayes and noes.

The ruling of the Speaker was sustained by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Chilton, Clark, Claiborne, Colcord, Collier, Crockett, Davis, Dent, Dolle, Dolman, Edwards, Frost, Gates, George, Girdner, Goodson, Hackman, Hardin, Harmon, Hubbell, Hutt, Knott, Kost, Latshaw, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, Pauley, Price, Randall, Richardson, Samuel, Schooley, Shields, Sides, Sloan, Smith, Stancil, Stone, Van Roden, Walker, Wight of Vernon, Williams of Audrain and Worden—73.

NOES—Messrs. Abbee, Alsup, Asher, Auer, Borg, Breazeale, Cloud, Eubanks, Haas, Hickman, Lamson, Langston, Leach, Leeper, Miller, Moore of Stone, Mullings, Neal, Norris, Pope, Raney, Robinson, Sanford and Williams of Morgan—24.

Not voting—Mr. Speaker—1.

Absent—Messrs. Abington, Adams of Gentry, Bradshaw, Bulkley, Burrows, Dean, Doak, Dod, Edens, Fassen, Gray, Hooper, Kitchen, Koch, Martin of Caldwell, McMillan, O'Bannon of Pettis, Rolston, Scoville, Shafer, Sharp, Sorrell, Steele, Squires, Thomas, Turner, and Wielandy—27.

Absent with leave—Messrs. Coleman, Howell, Marlin, Ray, Von Kochtitzky, White of Texas and Wilkes—7.

Sick—Messrs. Bunch, Butler, Gratiot, O'Bannan of Dallas and Shewalter—5.

The call of the absentees being completed, the Speaker announced the bill to have passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Ballard, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Monroe, Brown of Howard, Buller, Burton, Chilton, Claiborne, Colcord, Collier, Davis, Dean, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Haas, Hardin, Hubbell, Hutt, Knott, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Ming, Mitchell, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, Pauley, Price, Randall, Richardson, Samuel, Schooley, Shields, Sides, Sloan, Stancil, Stone, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Williams of Audrain and Mr. Speaker—71.

NOES—Messrs. Abbee, Alsup, Asher, Auer, Barnes, Borg, Buckham, Clark, Cloud, Crockett, Dent, Dolman, Eubanks, Hackman, Harmon, Hickman, Hooper, Kitchen, Kost, Lamson, Langston, Leach, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Norris, Pope, Raney, Robinson, Rolston, Sanford, Scoville, Smith, Williams of Morgan and Worden—38.

Absent—Messrs. Bradshaw, Burrows, Doak, Dod, Fassen, Gray, Howell, Koch, O'Bannon of Pettis, Shafer, Sharp, Sorrell, Steele, Squires and Wielandy—18.

Absent with leave—Messrs. Coleman, Marlin, Ray, Von Koch-titzky and Wilkes—5.

Sick—Messrs. Abington, Bulkley, Bunch, Butler, Gratiot, O'Bannon of Dallas, Shewalter and White of Texas—8.

The title was read and agreed to.

Mr. Bosbyshell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Brown of Howard, moved to make
House bill No. 442,
The special order of to-morrow evening at 7½ o'clock;
Which was agreed to.

Mr. Bennett moved to adjourn until to-morrow morning at ten o'clock;
Which was agreed to.

TUESDAY, MARCH 14, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Pugh, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Fassen,

The further reading of the journal, except that part showing the vote on

House bill No. 97,
Was dispensed with.

Mr. Fassen presented a protest.

On motion of Mr. Mortell,

The House refused to entertain the protest.

House bill No. 445, entitled

An act to separate the county of Worth from the seventeenth judicial circuit, and to attach the same to the twelfth judicial circuit of this State, and to fix the time for holding circuit courts of said county, Was taken up.

On motion the rules were suspended, the bill considered engrossed, and read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burrows, Burton, Butler, Claiborne, Clark, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Koch, Lamson, Langston, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Abbee, Asher, Bass, Bohn, Buller, Cloud, Colcord, Coleman, Edens, Knott, Kost, Latshaw, Leeper, McMillan, Moore of Livingston, Pauley, Sides, Stancil, and Williams of Audrain—19.

Absent with leave—Messrs. Chilton, Steele and Von Kochtitzky—3.

Sick—Messrs. Bunch, Gratiot, O'Bannon of Dallas, Shewalter, and White of Texas—5.

The title of the bill was then read and agreed to.

Mr. Mullings, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education have had under consideration

House bill No. 483,

And have instructed me to report the bill back to the House with the recommendation that the same do pass;

Which was read.

House bill No. 483, entitled

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds, or other interests which have been improperly diverted from their objects and purposes, and to employ counsel and compensate them for prosecuting such proceedings, approved March 22, 1870;

Was taken up.

On motion, the rules were suspended, the bill considered engrossed, and read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bitteringer, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Bulkley, Burrows, Butler, Claiborne, Colcord, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Goodson, Hackman, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Price, Pope, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—106.

NOES—Messrs. Breazeale, Girdner and Sanford—3.

Absent—Messrs. Abbee, Adams of Gentry, Bass, Beltrami, Buckingham, Buller, Burton, Clark, Cloud, Coleman, Hardin, Harmon, Logan, Marshall, McMillan, Moore of Livingston, Murray, Schooley, Sides, Smith, Steele and Wielandy—22.

Absent with leave—Mr. Chilton—1.

Sick—Messrs. Bunch, Gratiot, Gray, Shewalter, and White of Texas—5.

The title of the bill was then read and agreed to.

Mr. Mullings moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Neal rose to a question of privilege, which he proceeded to state.

Mr. Bitteringer offered the following resolution:

Resolved, That hereafter until the day now fixed for adjournment, no member shall speak more than five minutes on any one subject, without the consent of the House;

Which was read.

Mr. Bitteringer moved the previous question on the adoption of his resolution.

The previous question being demanded,

Mr. Mullings demanded the ayes and noes.

The resolution was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bitteringer, Bradshaw, Brown of Howard, Buckingham, Buller, Burrows,

Burton, Butler, Clark, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hubbell, Hutt, Kitchen, Knott, Koch, Latshaw, Marlin, Marshall, Maupin, Mabrey, McAllister, McPike, Moore of Stone, Mortell, Murphy, Myers, Newman, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Price, Raney, Randall, Ray, Robinson, Rolston, Samuel, Shafer, Sloan, Sorrell, Stancil, Squires, Van Roden, Von Kochtitzky, Wielandy, Williams of Audrain, and Worden—77.

NOES—Messrs. Abbee, Alsup, Asher, Auer, Bohn, Bosbyshell, Breazeale, Brown of Monroe, Bulkley, Claiborne, Edens, Fassen, Girdner, Hooper, Kost, Lamson, Langston, Leeper, Martin of Caldwell, McMillan, Miller, Mitchell, Moore of Livingston, Neal, Norris, Richardson, Schooley, Scoville, Sharp, Shields, Smith, Thomas, Turner, Walker, Wilkes, Williams of Morgan and Mr. Speaker—37.

Not voting—Mr. Pope—1.

Absent—Messrs. Borg, Cloud, Coleman, Dean, Hickman, Howell, Leach, Logan, Martin of St. Louis, Mullings, Murray, Stone, White of Texas and Wight of Vernon—15.

Absent with leave—Messrs. Ohilton, Ming, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, and Shewalter—3.

Mr. Samuel called up his resolution in relation to the printing of the report of the Superintendent of Public Schools, which was pending at adjournment yesterday afternoon.

Mr. Pope offered the following amendment:

Amend by adding: And whether more matter was published than was ordered by the House;

Which was read and accepted.

Mr. Samuel's resolution, as amended, was adopted.

The regular order was called for, being substitute for House bill No. 306, entitled

An act to provide for the cutting out and working of the public roads in certain counties in this State;

Which was taken up.

The following message was received from the Governor by his private secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,
City of Jefferson, March 14, 1859.

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bill from the House:

An act amendatory of and supplemental to an act entitled an act to incorporate the town of Pleasant Hill, approved March 14, 1859.

Respectfully,

B. GRATZ BROWN.

Which was read.

On motion of Mr. Mullings,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Stone, from the Committee of the St. Louis Delegation, submitted the following report :

MR. SPEAKER: Your Committee, of the St. Louis Delegation, to whom was referred

House bill No. 477,

An act to amend an act entitled an act amendatory of an act entitled an act amendatory of an act entitled an act creating a board of police commissioners and authorizing the appointment of the police force for the city of St. Louis, approved December 12, 1863, also amendatory of an act entitled an act to provide for the payment of the police of the city of St. Louis, approved February 5, 1864, approved February 18, 1865;

Have had the same under consideration, respectfully recommend that the same do pass;

Which was read.

House bill No. 477, entitled

An act to amend an act entitled an act amendatory of an act entitled an act amendatory of an act entitled an act creating a board of police commissioners and authorizing the appointment of the police force for the city of St. Louis, approved March 27, 1861, approved December 12, 1863, also amendatory of an act entitled an act to provide for the payment of the police of the city of St. Louis, approved February 5, 1864, approved February 18, 1865,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Applegate, Asher, Auer, Barrett, Bass, Bell, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Buller, Burton, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Doak, Dolle, Edwards, Frost, Gates, Girdner, Gray, Haas, Hackman, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Moore of Stone, Mullings, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price,

Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Shafer, Sharp, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—89.

NOES—None.

Absent—Messrs. Adams of Gentry, Alsup, Ballard, Barnes, Beltrami, Bittinger, Borg, Brown of Monroe, Bulkley, Butler, Colcord, Dean, Dent, Dod, Dolman, Edens, Eubanks, Fassen, George, Goodson, Hardin, Hickman, Kitchen, Koch, Leeper, Marshall, McAllister, McMillan, Mitchell, Moore of Livingston, Mortell, Murphy, Newman, Pauley, Randall, Schooley, Scoville, Sides, Sloan and Walker—40.

Absent with leave—Messrs. Burrows, Chilton, Coleman and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Martin of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Edwards offered the following resolution :

Resolved, That the House hereafter meet at 9 o'clock, A. M., and that the first hour be devoted to the introduction and passage of local bills :

Which was read and adopted.

Leave of absence was granted to Mr. Burrows until the end of the session.

Mr. Shields offered the following resolution :

Resolved, That a committee of three be appointed by the Chair to revise the rules governing the proceedings of the House, to report at the adjourned session ;

Which was read and not adopted.

The House resumed the consideration of
Substitute for House bill No. 306, entitled

An act to provide for the cutting out and working of the public roads in certain counties in this State.

Mr. Knott offered the following amendment :

Amend section one as follows :

Insert after the word "shall," in second line, the words "upon petition of a majority of the qualified voters of such county ;"

Which was read and not adopted.

Mr. Eubanks offered the following amendment :

Amend by striking out the first section and insert the following :
Section 1. The county courts of counties shall have the authority, upon the petition of two hundred (200) legal voters of said county, in their discretion, to cut out and work the public roads in their re-

spective counties, upon the plan and in the manner prescribed in this act, *provided*, that at and after the next general election the adoption or rejection of their law shall be determined by a vote of the qualified voters of such election ;

Which was read and agreed to.

Mr. Mullings offered the following amendment:

Amend section two, line one, by striking out "having the requisite population ;"

Which was read and adopted.

Mr. Kost offered the following amendment:

Amend section seven, line three and four, by striking out "\$1 50," and inserting "\$3 00 ;"

Which was read.

Mr. Thomas moved to reject ;

Which was agreed to.

Mr. Kost offered the following amendment:

Amend line four by inserting "able-bodied," after the word "all," and under "50 years ;"

Was read and agreed to.

Mr. Kost offered the following amendment:

Amend further, by adding after "exclusively," in line eight "and *provided*, further, that all persons subject to a poll tax shall have the privilege of working out the same upon the public roads under the supervision of the contractor, and at the rate of one dollar and fifty cents per day."

Which was read.

Mr. Bennett moved to reject the amendment ;

Which was agreed to.

Mr. Shafer offered the following amendment:

Amend by striking out "one-fifth," in third line, and insert "four tenths ;"

Which was read and not agreed to.

Mr. Abbee offered the following amendment:

Strike out section nine, and insert as follows:

Sec. 9. No road overseer shall directly or indirectly become a contractor, to do any work on any of the roads under his control during the time for which he shall have been appointed as such overseer :

Which was read and agreed to.

Mr. Leeper offered the following amendment:

Amend by way of new section:

Sec. 12. *Provided, however*, that this act shall not be in force or have effect in the following counties in this State: Salem, Osage, Camden, Wayne, Stoddard, Callaway, Scott, Mississippi, Butler, Pemsiscot, Ripley, Carter, Oregon, Howell, Miller, Texas, Douglas, Crawford, Audrain, Platte, Newton, Dallas, Boone, Lafayette, Taney, Barry, Wright, Christian, Ozark, Maries, Webster, Pulaski, Dent, Reynolds, Andrew, DeKalb, Buchanan, Shannon, Shelby, St. Francois, Hickory, Dade, Randolph, Clinton, Laclede, Dunklin, and such other counties as are specified in an act entitled an act to provide for the

Absent—Messrs. Adams of Gentry, Barrett, Bell, Beltrami, Bittinger, Bohn, Borg, Bradshaw, Breazeale, Burrows, Butler, Claiborne, Colcord, Dean, Dolman, Eubanks, Goodson, Hardin, Harmon, Hooper, Kitchen, Knott, Leeper, Marlin, Marshall, Martin of St. Louis, McMillan, Mitchell, Mortell, Myers, Neal, Pauley, Sanford, Schooley, Scoville and Wielandy—36.

Absent with leave—Messrs. Chilton, Logan and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Haas moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

Which was agreed to.

Mr. Mullings called up

House bill No. 468, entitled

An act to change the time for holding courts in the ninth judicial circuit, being section thirty-seven of chapter forty-one, article four of Wagner's Statutes of Missouri;

Which was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, Maupin, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—118.

NOES—None.

Absent—Messrs. Bittinger, Bradshaw, Breazeale, Butler, Colcord, Dolman, Goodson, Kitchen, Leeper, McMillan, Mortell, Neal and Sides—13.

Absent with leave—Messrs. Butler and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Mullings moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Smith, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred

House bill No. 282,

Have had the same under consideration and have instructed me to report the same with the recommendation that the same do pass;

Which was read.

House bill No. 282, entitled

An act to repeal sections five and six of an act entitled an act to incorporate the Sugar Tree Grove Academy in Clay county, Missouri, approved January 15, 1855,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burrows, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Gray, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Lashaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—115.

NOES—None.

Absent—Messrs. Ballard, Bittinger, Bradshaw, Breazeale, Butler Colcord, Dolman, Hooper, Kitchen, Mabrey, McMillan, Myers, Neal Richardson, Schooley and Sides—16.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Smith moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Edwards introduced a bill entitled

An act to authorize the city of St. Charles to become a stockholder in the Keokuk railroad;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

H J—41

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Lamson, Langston, Latshaw, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Scoville, Sharp, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—Messrs. Abbee, Kost and Leach—3.

Absent—Messrs. Ballard, Bittinger, Bradshaw, Breazeale, Burrows, Butler, Colcord, Dolman, Leeper, Martin of Caldwell, McMillan, Neal, Sanford, Schooley, Shafer, Shields, Sides and Smith—18.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was then read and agreed to.

Mr. Edwards moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

House bill No. 357, entitled

An act to repeal an act entitled an act to amend chapter fifty-five of the General Statutes of Missouri, approved February 27, 1868,

Was taken up,

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wie-

landy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—120.

NOES—None.

Absent—Messrs. Asher, Bittinger, Bradshaw, Breazeale, Colcord, Dolman, Maupin, McMillan, Sides, Burrows, George and Butler—12.

Absent with leave—Mr. Chilton —1.

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have presented bills of the following titles to the Governor for his approval:

House bill No. 18, entitled

An act in relation to the county court of Laclede county, and to make the probate judge of said county the presiding justice of said county court;

House bill No. 57, entitled

An act to authorize the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have examined and found correctly enrolled

House bill No. 18, entitled

An act in relation to the county court of Laclede county, and to make the probate judge of said county the presiding justice of said county court.

House bill No. 57, entitled

An act to authorize the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company;

Which was read.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate bill No. 55, entitled

An act to supply such State and county officers entitled to Wagner's Statutes, who have not heretofore been furnished with the same with a copy thereof,

Have had the same under consideration, and have instructed me to report the bill back to the House, with the recommendation that the same do pass;

Which was read.

Mr. Leeper called for the special order, being

Senate bill No. 175, entitled

An act concerning the assessment and collection of the revenue;
Which was taken up.

Mr. Wielandy offered the following resolution :

Resolved, That the consideration of the revenue bill be postponed until to-morrow at 10 o'clock, and that 150 copies of the Senate amendments be printed for the use of the House ;

Which was read.

Mr. Knott demanded the ayes and noes, and the resolution was not adopted by the following vote :

AYES—Messrs. Abbee, Alsop, Applegate, Asher, Auer, Barrett, Bell, Bennett, Bittinger, Bohn, Borg, Brown of Howard, Brown of Monroe, Buckham, Buller, Claiborne, Cloud, Clark, Collier, Davis, Dent, Dolman, Edwards, Gates, Gray, Haas, Hackman, Hickman, Koch, Latshaw, Leach, McAllister, McPike, Mitchell, Mullings, Murphy, Murray, Norris, O'Bannon of Pettis, Pauley, Randall, Richardson, Rolston, Schooley, Scoville, Stancil, Stone, Squires, Turner, Van Roden and Wielandy—51.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Ballard, Barnes, Bass, Beltrami, Bosbyshell, Breazeale, Bulkley, Burton, Coleman, Crockett, Dean, Doak, Dod, Dolle, Edens, Eubanks, Fassen, Frost, George, Girdner, Goodson, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Neal, Newman, O'Bannan of Dallas, Price, Pope, Raney, Ray, Robinson, Samuel, Sanford, Sharp, Shields, Smith, Sorrell, Thomas, Von Kochtitzky, Walker, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—70.

Absent—Messrs. Bradshaw, Burrows, Butler, Colcord, Marlin, McMillan, Myers, Shafer, Sides and Sloan—10.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Auer offered the following amendment to Senate bill 175 :

Amend by striking all after the word "levied" the following : "on the following persons and objects, all male persons over the age of twenty-one and under fifty years ;

Which was read and not agreed to.

Mr. Collier offered the following amendment :

Amend by striking out sections nine, ten, eleven, twelve, thirteen, fourteen, sixteen, seventeen, eighteen, nineteen and twenty, and amend section fifteen by inserting the words "the county courts" in place of the words "said board" in the first line, and by striking out the seventh and eighth clauses ;

Which was read.

Mr. Pope moved to reject the amendment offered by Mr. Collier.

Mr. Frost demanded the ayes and noes.

The motion to reject was not agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bohn, Bulkley, Burrows, Cloud, Crockett, Dolman, Fassen, Haas, Harmon, Hooper, Koch, Kost, Lamson, Langston, Marlin, Martin of Caldwell, Ming, Neal, Pope and Robinson—24.

NOES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Clark, Coleman, Collier, Davis, Dean, Doak, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Hickman, Howell, Hubbell, Hutt, Knott, Latshaw, Leach, Leeper, Logan, Marshall, Maupin, Mabrey, McAllister, McPike, Miller, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Price, Raney, Randall, Ray, Richardson, Rolston, Samuel, Sanford, Schooley, Sharp, Shields, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Worden—83.

Absent—Messrs. Beltrami, Bittinger, Borg, Bradshaw, Breazeale, Buckham, Bunch, Butler, Colcord, Dent, Edens, Hardin, Kitchen, Martin of St. Louis, McMillan, Mullings, Myers, Pauley, Scoville, Shafer, Sides, Sloan, Smith, Sorrell and Steele—26.

Not voting—Mr. Speaker—1.

Absent with leave—Mr. Ohilton—1.

Sick—Messrs. Gratiot, Shewalter and White of Texas—3.

On motion of Mr. Newman,
The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate, by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House substitute for House bill No. 85, entitled

An act to create the office of Public Printer and to prescribe the duties thereof,

And passed the inclosed substitute therefor.

There has also been introduced into and passed the Senate Senate bill No. 152, entitled

An act to repeal section ten of chapter ninety, General Statutes of Missouri, and being section five of article four of Wagner's Missouri Statutes.

In which the concurrence of the House is respectfully requested. Which was read.

Senate bill No. 118, entitled

An act to provide for paying the salary of the commissioner of statistics for the year eighteen hundred and sixty-seven,

Was taken up, read the first time, on motion, the rules were suspended, read the second time, rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Barnes, Barrett, Bass, Beltrami, Bennett, Bohn, Bosbyshell, Brown of Howard, Buckham, Bulkley, Burton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Haas, Hackman, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Smith, Serrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—95.

NOES—Messrs. Abington, George, Gray and Shafer—4.

Absent—Messrs. Alsup, Asher, Auer, Ballard, Bell, Bittinger, Borg, Bradshaw, Breazeale, Brown of Monroe, Buller, Butler, Claiborne, Colcord, Dent, Dod, Hardin, Hickman, Kitchen, Koch, Lamson, Mitchell, Mortell, Newman, Schooley, Shields, Sloan, Stancil, Turner and Williams of Audrain—30.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Scoville called up
House bill No. 55, entitled

An act to supply such State and county officers entitled to Wagner's Statutes, who have not been furnished with the same, with a copy thereof;

Which was taken up.

On motion, the rules were suspended, the bill read the third time and failed to pass by the following vote:

AYES—Messrs. Alsup, Asher, Auer, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buller, Clark, Cloud,

Davis, Dent, Dod,
Lamson, Langston,
McAllister, McMillan,
Pettis, Randall,
Squires, Van Roden,
Wilkes, Williams

NOES—Messrs.
Gentry, Applegate,
of Monroe, Buckham,
Doak, Edens, Edson,
Gray, Haas, Leach,
Leeper, Moore of
Norris, Price, F. Smith,
Sorrrell,

Absent—Messrs.
Colcord, Kitchen,
Myers, Neal, Williams
of Audrain

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Thomas, Van Roden, Walker, Williams of
Williams of Audrain, Williams of
Absent—Messrs. Alsop, Butler, Applegate, Barnes,
ler, Clark, Colcord, Edward, Bittinger, Buckham, Buller,
ley, Pope, Shafer, Sharp, Davis, Dean, Doak, Dolle,
Kochitzky and Worde, Girdner, Goodson, Gray,
Kitchen, Knott, Koch,
Louis, Maupin, Mabrey,
Mitchell, Moore of
Murray, Myers, New-
Price, Randall,
Smith, Sorrell,
Kochtitzky,
of Morgan,

Absent with leave—
Sick—Messrs.
The quorum
a division

Auer,
Doak,
aw,
is

Absent with leave—Messrs. Burrows, Cannon

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Shafer moved to reconsider the vote by which the bill passed, and to enter his motion on the record.

The special order was taken up, being
Senate bill No. 175, entitled

An act concerning the assessment and collection of the revenue.
Mr. Richardson offered the following substitute for the amendment offered by Mr. Collier this morning:

Substitute for the amendment:

Amend by striking out sections 9, 10, 11, 12 and 13;

Which was read.

Mr. Mullings demanding the ayes and nays, the substitute was not agreed to by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Bradshaw, Buckham, Claiborne, Davis, Gates, Hutt, Kitchen, Latschaw, Logan, McAllister, Miller, Ming, Moore of Livingston, Norris, O'Bannon of Pettis, Randall, Richardson and Samuel—20.

NOES—Messrs. Abbee, Abington, Adams of Gentry, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Cloud, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Lamson, Langston, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McMillan, McPike, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, O'Bannon of Dallas, Price, Raney, Ray, Robinson, Rolston, Sanford, Schooley, Scoville, Shields, Sloan, Smith, Stone, Squires,

And passed the inclosed substitute of Vernon, Wielandy, Wilkes, There has also been introduced Morgan and Mr. Speaker—87.

Senate bill No. 152, entitled

An act to repeal section 4 of Beltrami, Borg, Breazeale, Burton, But of Missouri, and being sections 4s, Marlin, Mabrey, Mitchell, Myers, Paussouri Statutes.

In which the concurrence—24.
Which was read.

Senate bill No. 153—Messrs. Burrows and Chilton—2.

An act to provide statistics for the Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Was taken on the question recurring on the amendment offered by Mr. Collier, suspended of the question was demanded.
third time

Sections 9, 10, 11, 12 and 13, were stricken out.

App. On the motion to strike out section fourteen, Mr. Mullings demanded the ayes and noes.

The motion prevailed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Ballard, Barnes, Bass, Bell, Bennett, Bittinger, Brown of Howard, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Dod, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Kitchen, Leach, Leeper, Logan, Marlin, Marshall, Maupin, McPike, Miller, Moore of Livingston, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Price, Randall, Samuel, Smith, Sorrell, Thomas, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—54.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Auer, Bohn, Bulkley, Clark, Cloud, Dent, Doak, Haas, Harmon, Hubbell, Kost, Lamson, Latshaw, Martin of Caldwell, McMillan, Mullings, Neal, O'Bannon of Dallas, Raney, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Sharp, Shields, Stancil, Van Roden, Wielandy, Wilkes and Worden—35.

Not Voting—Mr. Speaker—1.

Absent—Messrs. Asher, Barrett, Beltrami, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Butler, Claiborne, Colcord, Dolle, Dolman, Fassen, Hardin, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Martin of St. Louis, Mabrey, McAllister, Ming, Mitchell, Moore of Stone, Mortell, Myers, Pauley, Pope, Ray, Shafer, Sloan, Stone, Squires, Turner and Von Kochtitzky—39.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The question recurring on the amendment to section fifteen; Messrs. Mullings and Abbee demanded the ayes and noes.
The amendment was agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Buckham, Buller, Burton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Dolle, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—81.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Auer, Bohn, Brown of Howard, Bulkley, Clark, Cloud, Collier, Dent, Doak, Dolman, Haas, Harmon, Hooper, Kost, Lamson, Langston, Latshaw, Martin of Caldwell, Mullings, Neal, Raney, Rolston, Sharp, Shields and Wight of Vernon—30.

Absent—Messrs. Ballard, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Fassen, George, Hubbell, Leach, Pauley, Pope, Schooley, Shafer, Sides, Sloan, Steele and Turner—19.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Richardson offered the following amendment:

Amend section fifteen, first line of section, by inserting after the word "court," the words "and assessor;"

Which was read and adopted,

Mr. Neal offered the following amendment:

Insert after "assessor," the word "county surveyor;"

Which was read and not agreed to.

On the motion to adopt section fifteen as amended, Messrs. Asher and Neal demanded the ayes and noes.

The section was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Doak, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Murphy, Murray, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Smith, Sorrell, Stancil, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Williams of Audrain, Williams of Morgan and Worden—77.

NGES—Messrs. Abbee, Alsup, Asher, Bennett, Bohn, Clark, Cloud, Dod, Dolle, Kost, Lamson, Langston, Martin of Caldwell, Mullings, Neal, Schooley, Scoville and Sharp—18.

Not voting—Mr. Speaker—1.

Absent—Messrs. Adams of Gentry, Ballard, Beltrami, Borg, Bosbyshell, Breazeale, Bulkley, Butler, Claiborne, Colcord, Dent, Dolman, Edens, Fassen, George, Harmon, Hooper, Hubbell, Latshaw, Leach, Marlin, McMillan, Moore of Livingston, Mortell, Myers, Shafer, Shields, Sloan, Stone, Squires, Turner, Wight of Vernon and Wilkes—33.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 291,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 291, entitled

An act to amend an act, approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckingham, Bulkley, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bradshaw, Breazeale, Brown of Monroe, Buller, Burrows, Butler, Colcord, Dean, Fassen, Hickman, Kitchen, Leeper, Maupin, McAllister, Myers, Sanford, Shafer, Sides and Turner—21.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

On motion sections sixteen, seventeen, eighteen, nineteen and twenty were stricken out.

Mr. Neal offered the following amendment:

Amend section twenty-three, by striking out "September" in second line, and insert "August;"

Which was read and not agreed to.

Mr. Mitchell introduced a concurrent resolution, entitled

Concurrent resolution to appoint a committee to examine the books and accounts of the Lexington and St. Louis Railroad Company, and to send for person and papers;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Aner, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, VanRoden, Von-Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—108.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Colcord, Fassen, Hickman, Kitchen, Leeper, Marlin, Marshall, McAllister, Myers, Pauley, Shafer, Sides, Sanford and Turner—22.

Absent with leave—Messrs. Burrows, Chilton and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The following message was received from the Senate, by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bills No. 363, entitled

An act to provide a special election in St. Louis county, for the purpose of electing a county treasurer of said county,

And passed the accompanying substitute therefor.

In which the concurrence of the House is respectfully requested ;
Which was read.

The following message was received from the Governor by his private Secretary :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 16, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bills from the House :

An act to amend section two of an act entitled an act to sell the claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond ;

An act to authorize the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company ;

An act in relation to the county court of Laclede county, and to make the probate judge of said county *ex-officio* presiding justice of said county court.

Respectfully,
B. GRATZ BROWN.

Which was read.

On motion of Mr. Leeper,
The House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Smith called up

House bill No. 457, entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859.

Mr. Smith offered a substitute therefor :

Which was read the first time, on motion, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Adams of Butier, Abington, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Bass, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe,

Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Collier, Crocktt, Davis, Dean, Dolle, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Leach, Logan, Martin of Caldwell, Maupin, McAllister, McMillan, McPike, Ming, Miller Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

NOES—Messrs. Moore of Stone and Wilkes—2.

Absent—Messrs. Abbee, Asher, Barrett, Bell, Bohn, Bradshaw, Breazeale, Butler, Clark, Colcord, Coleman, Dent, Edens, Fassen, Hackman, Hickman, Hooper, Latshaw, Kitchen, Leeper, Marlin, Marshall, Martin of St. Louis, Mabrey, Mitchell, Neal, Ray, Sanford, Schooley, Sharp, Sloan, VonKochtitzky and Walker—33.

Absent with leave—Messrs. Burrows, Chilton, Sides, Steele and Turner—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was then read and agreed to.

Mr. Smith moved to reconsider the vote by which the substitute passed and to lay his motion on the table.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there have been introduced into and passed by the Senate:

Senate bill No. 201, entitled

An act to appropriate money to cover deficiencies in the appropriations for the years 1869 and 1870.

In which the concurrence of the House is respectfully requested.
Which was read.

Mr. Hutt called for the special order, being

House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw warrants in favor of the National Bank of the State of Missouri and of James B. Eads, for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

And passed the inclosed substitute therefor.

There has also been introduced into and passed the Senate Senate bill No. 152, entitled

An act to repeal section ten of chapter ninety, General Statutes of Missouri, and being section five of article four of Wagner's Missouri Statutes.

In which the concurrence of the House is respectfully requested. Which was read.

Senate bill No. 118, entitled

An act to provide for paying the salary of the commissioner of statistics for the year eighteen hundred and sixty-seven,

Was taken up, read the first time, on motion, the rules were suspended, read the second time, rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Barnes, Barrett, Bass, Beltrami, Bennett, Bohn, Bosbyshell, Brown of Howard, Buckham, Bulkley, Burton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gatas, Girdner, Goodson, Haas, Hackman, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Smith, Serrell, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—95.

NOES—Messrs. Abington, George, Gray and Shafer—4.

Absent—Messrs. Alsup, Asher, Auer, Ballard, Bell, Bittinger, Borg, Bradshaw, Breazeale, Brown of Monroe, Buller, Butler, Claiborne, Colcord, Dent, Dod, Hardin, Hickman, Kitchen, Koch, Lamson, Mitchell, Mortell, Newman, Schooley, Shields, Sloan, Stancil, Turner and Williams of Audrain—30.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Scoville called up

House bill No. 55, entitled

An act to supply such State and county officers entitled to Wagner's Statutes, who have not been furnished with the same, with a copy thereof;

Which was taken up.

On motion, the rules were suspended, the bill read the third time and failed to pass by the following vote:

AYES—Messrs. Alsup, Asher, Auer, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buller, Clark, Cloud,

Davis, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Kost, Lamson, Langston, Latshaw, Martin of Caldwell, Martin of St. Louis, McAllister, McMillan, Mullings, O'Bannon of Dallas, O'Bannon of Pettis, Randall, Rolston, Scoville, Sharp, Shields, Sloan, Stone, Squires, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan and Mr. Speaker—47.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Bennett, Brown of Monroe, Buckham, Burton, Coleman, Collier, Crockett, Dean, Doak, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Hooper, Howell, Hubbell, Hutt, Leach, Leeper, Logan, Marshall, Mabrey, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Murphy, Murray, Newman, Norris, Price, Raney, Richardson, Robinson, Samuel, Sanford, Shafer, Smith, Sorrell, Thomas, Walker and Worden—61.

Absent—Messrs. Bradshaw, Breazeale, Bulkley, Butler, Claiborne, Colcord, Kitchen, Knott, Koch, Marlin, Maupin, Mitchell, Mortell, Myers, Neal, Pauley, Pope, Schooley, Sides, Stancil, Turner, and Williams of Audrain—22.

Absent with leave—Messrs. Burrows, Chilton and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Shafer moved to reconsider the vote by which the bill passed, and to enter his motion on the record.

The special order was taken up, being

Senate bill No. 175, entitled

An act concerning the assessment and collection of the revenue.

Mr. Richardson offered the following substitute for the amendment offered by Mr. Collier this morning:

Substitute for the amendment:

Amend by striking out sections 9, 10, 11, 12 and 13;

Which was read.

Mr. Mullings demanding the ayes and nays, the substitute was not agreed to by the following vote:

AYES—Messrs. Adams of Butler, Applegate, Bradshaw, Buckham, Claiborne, Davis, Gates, Hutt, Kitchen, Latshaw, Logan, McAllister, Miller, Ming, Moore of Livingston, Norris, O'Bannon of Pettis, Randall, Richardson and Samuel—20.

NOES—Messrs. Abbee, Abington, Adams of Gentry, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Cloud, Coleman, Collier, Crockett, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Eubanks, Fassen, Frost, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Knott, Koch, Kost, Lamson, Langston, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, McMillan, McPike, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, O'Bannon of Dallas, Price, Raney, Ray, Robinson, Rolston, Sanford, Schooley, Scoville, Shields, Sloan, Smith, Stone, Squires,

Thomas, Van Roden, Walker, Wight of Vernon, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—87.

Absent—Messrs. Alsup, Beltrami, Borg, Breazeale, Burton, Butler, Clark, Colcord, Edwards, Marlin, Mabrey, Mitchell, Myers, Pauley, Pope, Shafer, Sharp, Sides, Sorrell, Stancil, Steele, Turner, Von Kochtitzky and Worden—24.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The question recurring on the amendment offered by Mr. Collier, a division of the question was demanded.

Sections 9, 10, 11, 12 and 13, were stricken out.

On the motion to strike out section fourteen, Mr. Mullings demanded the ayes and noes.

The motion prevailed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Bailard, Barnes, Bass, Bell, Bennett, Bittinger, Brown of Howard, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Dod, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Kitchen, Leach, Leeper, Logan, Marlin, Marshall, Maupin, McPike, Miller, Moore of Livingston, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Price, Randall, Samuel, Smith, Sorrell, Thomas, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—54.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Auer, Bohn, Bulkley, Clark, Cloud, Dent, Doak, Haas, Harmon, Hubbell, Kost, Lamson, Latshaw, Martin of Caldwell, McMillan, Mullings, Neal, O'Bannon of Dallas, Raney, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Sharp, Shields, Stancil, Van Roden, Wielandy, Wilkes and Worden—35.

Not Voting—Mr. Speaker—1.

Absent—Messrs. Asher, Barrett, Beltrami, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Butler, Claiborne, Colcord, Dolle, Dolman, Fassen, Hardin, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Martin of St. Louis, Mabrey, McAllister, Ming, Mitchell, Moore of Stone, Mortell, Myers, Pauley, Pope, Ray, Shafer, Sloan, Stone, Squires, Turner and Von Kochtitzky—39.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The question recurring on the amendment to section fifteen; Messrs. Mullings and Abbee demanded the ayes and noes.

The amendment was agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Buckham, Buller, Burton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Dolle, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—81.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Auer, Bohn, Brown of Howard, Bulkley, Clark, Cloud, Collier, Dent, Doak, Dolman, Haas, Harmon, Hooper, Kost, Lamson, Langston, Latshaw, Martin of Caldwell, Mullings, Neal, Raney, Rolston, Sharp, Shields and Wight of Vernon—30.

Absent—Messrs. Ballard, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Fassen, George, Hubbell, Leach, Pauley, Pope, Schooley, Shafer, Sides, Sloan, Steele and Turner—19.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Richardson offered the following amendment:

Amend section fifteen, first line of section, by inserting after the word "court," the words "and assessor;"

Which was read and adopted,

Mr. Neal offered the following amendment:

Insert after "assessor," the word "county surveyor;"

Which was read and not agreed to.

On the motion to adopt section fifteen as amended, Messrs. Asher and Neal demanded the ayes and noes.

The section was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Doak, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Murphy, Murray, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Smith, Sorrell, Stancil, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Williams of Audrain, Williams of Morgan and Worden—77.

NOES—Messrs. Abbee, Alsup, Asher, Bennett, Bohn, Clark, Cloud, Dod, Dolle, Kost, Lamson, Langston, Martin of Caldwell, Mullings, Neal, Schooley, Scoville and Sharp—18.

Not voting—Mr. Speaker—1.

Absent—Messrs. Adams of Gentry, Ballard, Beltrami, Borg, Bosbyshell, Breazeale, Bulkley, Butler, Claiborne, Colcord, Dent, Dolman, Edens, Fassen, George, Harmon, Hooper, Hubbell, Latshaw, Leach, Marlin, McMillan, Moore of Livingston, Mortell, Myers, Shafer, Shields, Sloan, Stone, Squires, Turner, Wight of Vernon and Wilkes—33.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 291,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 291, entitled

An act to amend an act, approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckingham, Bulkley, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bradshaw, Breazeale, Brown of Monroe, Buller, Burrows, Butler, Colcord, Dean, Fassen, Hickman, Kitchen, Leeper, Maupin, McAllister, Myers, Sanford, Shafer, Sides and Turner—21.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

On motion sections sixteen, seventeen, eighteen, nineteen and twenty were stricken out.

Mr. Neal offered the following amendment:

Amend section twenty-three, by striking out "September" in second line, and insert "August;"

Which was read and not agreed to.

Mr. Mitchell introduced a concurrent resolution, entitled

Concurrent resolution to appoint a committee to examine the books and accounts of the Lexington and St. Louis Railroad Company, and to send for person and papers;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, VanRoden, Von-Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Andrain, Williams of Morgan, Worden and Mr. Speaker—108.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Colcord, Fassen, Hickman, Kitchen, Leeper, Marlin, Marshall, McAllister, Myers, Pauley, Shafer, Sides, Sanford and Turner—22.

Absent with leave—Messrs. Burrows, Chilton and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The following message was received from the Senate, by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bills No. 863, entitled

An act to provide a special election in St. Louis county, for the purpose of electing a county treasurer of said county,

And passed the accompanying substitute therefor.

In which the concurrence of the House is respectfully requested ;
Which was read.

The following message was received from the Governor by his private Secretary :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 15, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bills from the House :

An act to amend section two of an act entitled an act to sell the claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond ;

An act to authorize the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company ;

An act in relation to the county court of Laclede county, and to make the probate judge of said county *ex-officio* presiding justice of said county court.

Respectfully,

B. GRATZ BROWN.

Which was read.

On motion of Mr. Leeper,
The House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Smith called up

House bill No. 457, entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859.

Mr. Smith offered a substitute therefor :

Which was read the first time, on motion, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Adams of Butler, Abington, Adams of Gentry, Alsop, Applegate, Auer, Ballard, Barnes, Bass, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe,

Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Collier, Crocktt, Davis, Dean, Dolle, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Leach, Logan, Martin of Caldwell, Maupin, McAllister, McMillan, McPike, Ming, Miller Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

NOES—Messrs. Moore of Stone and Wilkes—2.

Absent—Messrs. Abtee, Asher, Barrett, Bell, Bohn, Bradshaw, Breazeale, Butler, Clark, Colcord, Coleman, Dent, Edens, Fassen, Hackman, Hickman, Hooper, Latshaw, Kitchen, Leeper, Marlin, Marshall, Martin of St. Louis, Mabrey, Mitchell, Neal, Ray, Sanford, Schooley, Sharp, Sloan, VonKochtitzky and Walker—33.

Absent with leave—Messrs. Burrows, Chilton, Sides, Steele and Turner—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was then read and agreed to.

Mr. Smith moved to reconsider the vote by which the substitute passed and to lay his motion on the table.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there have been introduced into and passed by the Senate:

Senate bill No. 201, entitled

An act to appropriate money to cover deficiencies in the appropriations for the years 1869 and 1870.

In which the concurrence of the House is respectfully requested.
Which was read.

Mr. Hutt called for the special order, being

House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw warrants in favor of the National Bank of the State of Missouri and of James B. Eads, for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

Mr. Mullings moved to reconsider the vote by which the resolution cutting off debate was adopted yesterday evening;

Which was agreed to.

Mr. Leeper offered the following amendment:

Amend by striking out section three of bill;

Which was read.

Mr. Barrett offered the following amendment to the amendment:

Amend section three by striking out "one hundred and four thousand four hundred and ten dollars and seventy-seven cents" and inserting "nineteen thousand four hundred and ninety, being his proportionate share of:"

Which was read.

Mr. Walker offered the following resolution:

Resolved, That the debate do now close and we proceed to vote on the amendments and bills;

Which was read.

Mr. Maupin offered the following resolution:

Resolved, That unless a conclusion be soon reached, debate shall cease on pending question at 10 o'clock this evening, and immediately thereafter a vote shall be taken on the amendments and bill;

Which was read.

Mr. Neal moved to lay on the table,

On which Mr. Neal and Mr. Abbee demanded the ayes and noes.

The motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Abbee, Alsop, Asher, Ballard, Bell, Beltrami, Borg, Bulkley, Clark, Dean, Dolle, Gates, Goodson, Gray, Hardin, Harmon, Hickman, Hooper, Kitchen, Lamson, Langston, Martin of Caldwell, Mabrey, McAllister, Ming, Moore of Livingston, Murray, Neal, Norris, Randall, Sanford, Scoville, Shields, Van Roden, Wilkes and Williams of Morgan—36.

NOES—Messrs. Abington, Adams of Gentry, Applegate, Auer Barnes, Barrett, Bass, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolman, Eubanks, Fassen, Frost, George, Girdner, Haas, Hutt, Knott, Kost, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Myers, Newman, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Richardson, Robinson, Rolston, Samuel, Schooley, Shafer, Sharp, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Walker, Wielandy, Wight of Vernon and Worden—77.

Not voting—Mr. Speaker—1.

Absent—Messrs. Breazeale, Butler, Coleman, Edens, Edwards, Hackman, Howell, Hubbell, Latshaw, Leach and Ray—11.

Absent with leave—Messrs. Burrows, Chilton, Marlin, Sides, Steele, Turner and Von Kochtitzky—7.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

Mr. Maupin withdrew the substitute offered by himself.

Mr. McMillan offered the following substitute:

Resolved, That debate close on the pending amendment to section three;

Which was read.

Mr. Borg demanded the previous question.

The main question being put, the substitute offered by Mr. McMillan was agreed to.

The question recurring on the amendment offered by Mr. Barrett; Which was not agreed to by the following vote:

AYES—Messrs. Abbee, Alsup, Asher, Barrett, Brown of Monroe, Bulkley, Crockett, Davis, Dod, Eubanks, Fassen, George, Girdner, Goodson, Gray, Hardin, Hickman, Hooper, Hubbell, Knott, Leach, McAllister, Moore of Stone, Moore of Livingston, Myers, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Price, Raney, Randall, Rolston, Samuel, Scoville, Shafer, Sharp, Sloan, Sorrell, Squires, Wilkes and Worden—41.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Bass, Bell, Bennett, Bittinger, Bosbyshell, Brown of Howard, Buckham, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Dean, Dent, Doak, Dolle, Dolman, Frost, Gates, Haas, Harmon, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Ming, Mitchell, Mortell, Mullings, Murphy, Newman, Pauley, Pope, Richardson, Robinson, Sanford, Shields, Smith, Stancil, Stone, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Williams of Morgan and Mr. Speaker—69.

Absent—Messrs. Beltrami, Bohn, Borg, Bradshaw, Breazeale, Edens, Edwards, Hackman, Howell, McPike, Murray, Neal, Ray, Schooley and Steele—15.

Absent with leave—Messrs. Butler, Burrows, Chilton, Marlin, Sides and Turner—6.

Sick—Messrs. Bunch, Coleman, Gratiot, Shewalter, White of Texas and Williams of Audrain—6.

The question recurring on the amendment offered by Mr. Leeper.

Mr. Leeper demanding the ayes and noes, the amendment was agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Brown of Monroe, Bulkley, Buller, Burton, Clark, Crockett, Davis, Dean, Dod, Dolle, Eubanks, Fassen, George, Girdner, Goodson, Gray, Hardin, Hickman, Hooper, Hubbell, Kitchen, Knott, Kost, Lamson, Leach, Leeper, Logan, Mabrey, McAllister, McPike, Miller, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, O'Bannan of Dallas, Raney, Randall, Samuel, Sanford, Schooley, Scoville, Shafer, Sloan, Smith, Sorrell, Stancil, Squires, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Morgan and Worden—70.

NOES—Messrs. Abington, Adams of Gentry, Auer, Bell, Bittinger, Bohn, Bosbyshell, Brown of Howard, Buckham, Claiborne, Cloud, Colcord, Collier, Dent, Doak, Dolman, Frost, Gates, Haas, Harmon, Hutt, Koch, Langston, Latshaw, Marshall, Martin of St. Louis, Maupin, McMillan, Ming, Mitchell, Mortell, Mullings, Pauley, Pope, Richardson, Robinson, Rolston, Shields, Stone, Thomas, Walker, Wielandy and Mr. Speaker—43.

Absent—Messrs. Borg, Bradshaw, Breazeale, Coleman, Edens, Edwards, Hackman, Howell, Martin of Caldwell, Neal, Price, Ray, Sides and Turner—14.

Absent with leave—Messrs. Burrows, Butler, Chilton, Marlin and Steele—5.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

Mr. Pope offered the following amendment:

By striking out all of the first five lines of section one and all of the sixth line, so far as, and including the word "trustee" therein in printed bill, and insert the following in lieu thereof:

SECTION 1. The State Auditor is hereby appointed agent of the State of Missouri for the sale of the ten thousand eight hundred and sixty-three shares of the capital stock of the Bank of the State of Missouri, (now the National Bank of the State of Missouri) ordered by the State, in her own right, and as trustee of the Sinking Fund, Public School Fund and Seminary Fund, and he is hereby empowered and authorized to sell the same.

And by striking out the word "said" in the seventh and eighth lines, printed bill, and insert the word "the" in their places;

Which was read and accepted.

Mr. Buller offered the following amendment:

Amend section six by striking out the words "one hundred and twenty-one thousand five hundred and thirty-two dollars and twenty-one cents," and inserting "seventeen thousand one hundred and twenty-one dollars and forty-four cents;"

Which was read and agreed to.

The amendment to the substitute reported by the minority of the committee, was not agreed to by the following vote:

AYES—Messrs. Auer, Bittinger, Borg, Bosbyshell, Brown of Howard, Claiborne, Cloud, Colcord, Collier, Crockett, Doak, Dod, Dolman, Edwards, Frost, Gates, Gray, Haas, Harmon, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Marshall, Martin of St. Louis, Maupin, Ming, Mitchell, Mortell, Mullings, O'Bannon of Pettis, Pope, Price, Richardson, Robinson, Sanford, Shields, Sloan, Stone, Squires, Thomas, Walker, Wielandy and Mr. Speaker—46.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Davis, Dean, Dent, Dolle, Eubanks, Fassen, George, Girdner, Hardin, Hickman, Hooper, Kitchen, Knott, Kost, Leach, Leeper, Logan, Mabrey, McAllister, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Neal, O'Bannon of Dal-

las, Raney, Randall, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Smith, Sorrell, Stancil, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Morgan and Worden—67.

Absent—Messrs. Bohn, Bradshaw, Breazeale, Clark, Coleman, Edens, Goodsqn, Hackman, Howell, Marlin, Martin of Caldwell, Pauley, Ray and Turner—14.

Absent with leave—Messrs. Burrows, Butler, Chilton, Sides and Steele—5.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

The question recurring on the substitute for the original bill, it was not agreed to.

The question recurring on the original bill, which was read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Squires, Thomas, Van Roden, Walker, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—99.

NOES—Messrs. Bosbyshell, Claiborne, Colcord, Dent, Gates, Harmon, Hooper, Latshaw, McMillan, Mullings, Sanford, Schooley, Stone and Wielandy—14.

Absent—Messrs. Bohn, Bradshaw, Breazeale, Coleman, Edens, Fassen, Hackman, Howell, Hubbell, Marlin, Myers, Ray, Sides, Turner, and Von Kochtitzky—15.

Absent with leave—Messrs. Burrows, Butler, Chilton and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

The title was then read and agreed to.

Mr. Shields offered the following amendment;

Amend the title by striking out the words "warrants in favor of the National Bank of the State of Missouri and," and insert in lieu thereof the words "a warrant in favor;"

Which was read and agreed to.

The title as amended was then agreed to.

Mr. Shields moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

On motion of Mr. Bennett,
The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, MARCH, 16, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Rev. Mr. Pugh.

The journal of yesterday was being read, when,
On motion of Mr. Knott,
The further reading of the journal was dispensed with.

Mr. Knott offered the following resolution:

Resolved, That the Official Reporter of this House be allowed \$2.50 per day extra compensation for night work and preparing reports for publication ;
Which was read and adopted.

Mr. Gates of the Committee on Penitentiary, submitted the following report:

MR. SPEAKER: Your committee on Penitentiary, to whom was referred

House bill No. 458,

Have had the same under consideration, and have directed me to report the same back to the House with a substitute for section five, and with a recommendation that it do pass ;

Which was read.

House bill No. 458, entitled

An act to amend sections two, four, five, sixteen and eighteen of chapter two hundred and twenty-one of the General Statutes of Missouri, and sections two, four, five, sixteen and eighteen, chapter one hundred and seven, Wagner's Statutes,

Was taken up.

The following amendments recommended by the committee :

Substitute for section five the following: The factor shall receive all moneys and pay the same into the State Treasury, charging the Treasurer therewith and taking his receipt therefor; the factor shall advertise in two newspapers published in the City of St. Louis, and in two newspapers published in the city of Kansas, giving not less than two weeks notice, for sealed proposals to furnish the factor with suitable beef cattle, in such numbers and at such time as may be wanted for the use of the convicts in said prison; and shall at the same time, advertise for sealed proposals to furnish flour in such quantities and of such quality, and at such times as may be required by said factor; and such sealed proposals shall be transmitted to the prison inspectors, and opened by them in the presence of the factor, and they shall proceed to award the contract, accepting the proposal deemed best by them for the interest of the State. The factor shall require a good and sufficient bond of the party or parties whose offer is accepted to furnish supplies as mentioned in this act, that they will perform all the conditions stipulated in their contract, and pay all damage in case of failure thereon.

This act to take effect and be in force from and after its passage.

Amend in sixth line, section 4, by striking out the words "seven hundred" and insert "eight hundred and fifty."

Amend in the tenth line, section four, by striking out the word "quarterly" and insert the word "monthly;"

Which were read.

Mr. Wielandy offered the following amendment:

Amend section one by striking out the words "the Governor shall appoint two inspectors who shall be citizens of this State," and insert in lieu thereof the words "the Treasurer, Auditor and Attorney General shall be *ex-officio* inspectors of the Penitentiary;"

Which was read.

Mr. Haas offered the following amendment to the amendment:

Amend the amendment by adding the following words: "And that at the general election in 1872, and at every election to be held hereafter, the people of the State shall elect one inspector of the Penitentiary, who shall take the oath of office prescribed by the Constitution before he enters upon the discharge of his duties as inspector, which shall be filed in the office of the Secretary of the State;"

Which was read and not agreed to.

The question recurring on the amendment as offered by Mr. Wielandy,

Which was not agreed to.

Mr. Moore of Livingston offered the following amendment to section two:

Amend by striking out "two hundred and fifty" and insert "five hundred;"

Which was read.

Mr. Gates moved to reject the amendment,

Which was agreed to.

Mr. McMillan offered the following amendment to section two:

Strike out "two hundred and fifty" and insert "one thousand;"

Which was read.

Mr. Gates moved to reject;

Mr. Claiborne demanding the ayes and noes, the amendment was rejected by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry,

Thomas, Van Roden, Walker, Wight of Vernon, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—87.

Absent—Messrs. Alsup, Beltrami, Borg, Breazeale, Burton, Butler, Clark, Colcord, Edwards, Marlin, Mabrey, Mitchell, Myers, Pauley, Pope, Shafer, Sharp, Sides, Sorrell, Stancil, Steele, Turner, Von Kochtitzky and Worden—24.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The question recurring on the amendment offered by Mr. Collier, a division of the question was demanded.

Sections 9, 10, 11, 12 and 13, were stricken out.

On the motion to strike out section fourteen, Mr. Mullings demanded the ayes and noes.

The motion prevailed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Bailard, Barnes, Bass, Bell, Bennett, Bittinger, Brown of Howard, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Dod, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Hackman, Kitchen, Leach, Leeper, Logan, Marlin, Marshall, Maupin, McPike, Miller, Moore of Livingston, Murphy, Murray, Newman, Norris, O'Bannon of Pettis, Price, Randall, Samuel, Smith, Sorrell, Thomas, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—54.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Auer, Bohn, Bulkley, Clark, Cloud, Dent, Doak, Haas, Harmon, Hubbell, Kost, Lamson, Latshaw, Martin of Caldwell, McMillan, Mullings, Neal, O'Bannan of Dallas, Raney, Richardson, Robinson, Rolston, Sanford, Schooley, Scoville, Sharp, Shields, Stancil, Van Roden, Wielandy, Wilkes and Worden—35.

Not Voting—Mr. Speaker—1.

Absent—Messrs. Asher, Barrett, Beltrami, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Monroe, Butler, Claiborne, Colcord, Dolle, Dolman, Fassen, Hardin, Hickman, Hooper, Howell, Hutt, Knott, Koch, Langston, Martin of St. Louis, Mabrey, McAllister, Ming, Mitchell, Moore of Stone, Mortell, Myers, Pauley, Pope, Ray, Shafer, Sloan, Stone, Squires, Turner and Von Kochtitzky—39.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The question recurring on the amendment to section fifteen; Messrs. Mullings and Abbee demanded the ayes and noes. The amendment was agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Applegate, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Buckham, Buller, Burton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Dolle, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marlin, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—81.

NOES—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Auer, Bohn, Brown of Howard, Bulkley, Clark, Cloud, Collier, Dent, Doak, Dolman, Haas, Harmon, Hooper, Kost, Lamson, Langston, Latshaw, Martin of Caldwell, Mullings, Neal, Raney, Rolston, Sharp, Shields and Wight of Vernon—30.

Absent—Messrs. Ballard, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Fassen, George, Hubbell, Leach, Pauley, Pope, Schooley, Shafer, Sides, Sloan, Steele and Turner—19.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Richardson offered the following amendment:

Amend section fifteen, first line of section, by inserting after the word "court," the words "and assessor;"

Which was read and adopted.

Mr. Neal offered the following amendment:

Insert after "assessor," the word "county surveyor;"

Which was read and not agreed to.

On the motion to adopt section fifteen as amended, Messrs. Asher and Neal demanded the ayes and noes.

The section was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Barnes, Barrett, Bass, Bell, Bittinger, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Doak, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hickman, Howell, Hutt, Kitchen, Knott, Koch, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Stone, Murphy, Murray, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Smith, Sorrell, Stancil, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Williams of Audrain, Williams of Morgan and Worden—77.

NOES—Messrs. Abbee, Alsup, Asher, Bennett, Bohn, Clark, Cloud, Dod, Dolle, Kost, Lamson, Langston, Martin of Caldwell, Mullings, Neal, Schooley, Scoville and Sharp—18.

Not voting—Mr. Speaker—1.

Absent—Messrs. Adams of Gentry, Ballard, Beltrami, Borg, Bosbyshell, Breazeale, Bulkley, Butler, Claiborne, Colcord, Dent, Dolman, Edens, Fassen, George, Harmon, Hooper, Hubbell, Latshaw, Leach, Marlin, McMillan, Moore of Livingston, Mortell, Myers, Shafer, Shields, Sloan, Stone, Squires, Turner, Wight of Vernon and Wilkes—33.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Latshaw, of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

House bill No. 291,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do pass;

Which was read.

House bill No. 291, entitled

An act to amend an act, approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckingham, Bulkley, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bradshaw, Breazeale, Brown of Monroe, Buller, Burrows, Butler, Colcord, Dean, Fassen, Hickman, Kitchen, Leeper, Maupin, McAllister, Myers, Sanford, Shafer, Sides and Turner—21.

Absent with leave—Messrs. Chilton and Steele—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

On motion sections sixteen, seventeen, eighteen, nineteen and twenty were stricken out.

Mr. Neal offered the following amendment:

Amend section twenty-three, by striking out "September" in second line, and insert "August;"

Which was read and not agreed to.

Mr. Mitchell introduced a concurrent resolution, entitled

Concurrent resolution to appoint a committee to examine the books and accounts of the Lexington and St. Louis Railroad Company, and to send for person and papers;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, VanRoden, Von-Kochtitzky, Walker, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—108.

NOES—None.

Absent—Messrs. Ballard, Beltrami, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Butler, Colcord, Fassen, Hickman, Kitchen, Leeper, Marlin, Marshall, McAllister, Myers, Pauley, Shafer, Sides, Sanford and Turner—22.

Absent with leave—Messrs. Burrows, Chilton and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The following message was received from the Senate, by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up

House bills No. 363, entitled

An act to provide a special election in St. Louis county, for the purpose of electing a county treasurer of said county,

And passed the accompanying substitute therefor.

In which the concurrence of the House is respectfully requested ;
Which was read.

The following message was received from the Governor by his private Secretary :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 15, 1871. }

To the Honorable Speaker of the House of Representatives:

I have approved the following bills from the House :

An act to amend section two of an act entitled an act to sell the claim of the State against the North Missouri Railroad Company, and to amend the charter of said company, approved March 17, 1868, and to provide for the filing of a new bond ;

An act to authorize the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company ;

An act in relation to the county court of Laclede county, and to make the probate judge of said county *ex-officio* presiding justice of said county court.

Respectfully,
B. GRATZ BROWN.

Which was read.

On motion of Mr. Leeper,
The House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Mr. Smith called up
House bill No. 457, entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859.

Mr. Smith offered a substitute therefor :

Which was read the first time, on motion, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Adams of Butler, Abington, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Bass, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe,

Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Collier, Crockett, Davis, Dean, Dolle, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Leach, Logan, Martin of Caldwell, Maupin, McAllister, McMillan, McPike, Ming, Miller, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

NOES—Messrs. Moore of Stone and Wilkes—2.

Absent—Messrs. Abbee, Asher, Barrett, Bell, Bohn, Bradshaw, Breazeale, Butler, Clark, Colcord, Coleman, Dent, Edens, Fassen, Hackman, Hickman, Hooper, Latshaw, Kitchen, Leeper, Marlin, Marshall, Martin of St. Louis, Mabrey, Mitchell, Neal, Ray, Sanford, Schooley, Sharp, Sloan, VonKochtitzky and Walker—33.

Absent with leave—Messrs. Burrows, Chilton, Sides, Steele and Turner—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was then read and agreed to.

Mr. Smith moved to reconsider the vote by which the substitute passed and to lay his motion on the table.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there have been introduced into and passed by the Senate:

Senate bill No. 201, entitled

An act to appropriate money to cover deficiencies in the appropriations for the years 1869 and 1870.

In which the concurrence of the House is respectfully requested. Which was read.

Mr. Hutt called for the special order, being House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw warrants in favor of the National Bank of the State of Missouri and of James B. Eads, for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

Mr. Mullings moved to reconsider the vote by which the resolution cutting off debate was adopted yesterday evening;

Which was agreed to.

Mr. Leeper offered the following amendment:

Amend by striking out section three of bill;

Which was read.

Mr. Barrett offered the following amendment to the amendment:

Amend section three by striking out "one hundred and four thousand four hundred and ten dollars and seventy-seven cents" and inserting "nineteen thousand four hundred and ninety, being his proportionate share of:"

Which was read.

Mr. Walker offered the following resolution:

Resolved, That the debate do now close and we proceed to vote on the amendments and bills;

Which was read.

Mr. Maupin offered the following resolution:

Resolved, That unless a conclusion be soon reached, debate shall cease on pending question at 10 o'clock this evening, and immediately thereafter a vote shall be taken on the amendments and bill;

Which was read.

Mr. Neal moved to lay on the table,

On which Mr. Neal and Mr. Abbee demanded the ayes and noes.

The motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Abbee, Alsop, Asher, Ballard, Bell, Beltrami, Borg, Bulkley, Clark, Dean, Dolle, Gates, Goodson, Gray, Hardin, Harmon, Hickman, Hooper, Kitchen, Lamson, Langston, Martin of Caldwell, Mabrey, McAllister, Ming, Moore of Livingston, Murray, Neal, Norris, Randall, Sanford, Scoville, Shields, Van Roden, Wilkes and Williams of Morgan—36.

NOES—Messrs. Abington, Adams of Gentry, Applegate, Auer Barnes, Barrett, Bass, Bennett, Bittering, Bohn, Bosbyshell, Bradshaw Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Claiborne, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Dolman, Eubanks, Fassen, Frost, George, Girdner, Haas, Hutt, Knott, Kost, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, McMillan, McPike, Miller, Mitchell, Moore of Stone, Mortell, Mullings, Murphy, Myers, Newman, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Richardson, Robinson, Rolston, Samuel, Schooley, Shafer, Sharp, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Walker, Wielandy, Wight of Vernon and Worden—77.

Not voting—Mr. Speaker—1.

Absent—Messrs. Breazeale, Butler, Coleman, Edens, Edwards, Hackman, Howell, Hubbell, Lashaw, Leach and Ray—11.

Absent with leave—Messrs. Burrows, Chilton, Marlin, Sides, Steele, Turner and Von Kochtitzky—7.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857.

The following amendment recommended by the Senate:

Amend section one by striking out all after the word section "seven," in the fifth line down to the word "nineteen," in the ninth line, and insert the following:

"Said company shall have power to survey, mark, locate, construct, maintain and operate a railroad, commencing at any point between Jefferson City and Round Hill by the most practicable route through the counties;"

Which was read and agreed to.

Mr. Stone, from St. Louis delegation, submitted the following report:

MR. SPEAKER: The committee on St. Louis delegation, to whom was referred

House bill No. 299,

An act to reorganize the county court of Saint Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justices shall be severally elected, and to change the term of office, and the time of office, and the time for electing the said justices,

Have had the same under consideration, respectfully report that a majority of your committee recommend that the same do pass;

Which was read.

Mr. Pope called up

House bill No. 293, entitled

An act to reorganize the county court of St. Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justices shall be severally elected, and to change the term of office and the time for electing the said justices.

The substitute recommended by the Senate was taken up and concurred in.

Mr. Pope called up

House bill No. 363, entitled

An act to provide for the election of county treasurer and judge of the criminal court in the county of St. Louis, and to provide for the deposit of the public funds;

Which was taken up and Senate substitute concurred in.

The regular order was taken up, being Senate substitute for House bill No. 356, entitled

An act to provide for the opening and repairing of public roads.

Mr. Brown of Howard moved to not concur in Senate substitute.

Mr. Asher called for the reading of the original bill.

Mr. Brown of Howard moved to dispense with the reading.

Messrs. Asher and Neal demanding the ayes and noes, the motion to dispense with the reading of the bill was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Ballard, Barrett, Bass, Beltrami, Bennett, Bittinger,

NOES—Messrs. Abington, Adams of Gentry, Auer, Bell, Bittinger, Bohn, Bosbyshell, Brown of Howard, Buckham, Claiborne, Cloud, Colcord, Collier, Dent, Doak, Dolman, Frost, Gates, Haas, Harmon, Hutt, Koch, Langston, Latshaw, Marshall, Martin of St. Louis, Maupin, McMillan, Ming, Mitchell, Mortell, Mullings, Pauley, Pope, Richardson, Robinson, Rolston, Shields, Stone, Thomas, Walker, Wielandy and Mr. Speaker—43.

Absent—Messrs. Borg, Bradshaw, Breazeale, Coleman, Edens, Edwards, Hackman, Howell, Martin of Caldwell, Neal, Price, Ray, Sides and Turner—14.

Absent with leave—Messrs. Burrows, Butler, Chilton, Marlin and Steele—5.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

Mr. Pope offered the following amendment:

By striking out all of the first five lines of section one and all of the sixth line, so far as, and including the word "trustee" therein in printed bill, and insert the following in lieu thereof:

SECTION 1. The State Auditor is hereby appointed agent of the State of Missouri for the sale of the ten thousand eight hundred and sixty-three shares of the capital stock of the Bank of the State of Missouri, (now the National Bank of the State of Missouri) ordered by the State, in her own right, and as trustee of the Sinking Fund, Public School Fund and Seminary Fund, and he is hereby empowered and authorized to sell the same.

And by striking out the word "said" in the seventh and eighth lines, printed bill, and insert the word "the" in their places;

Which was read and accepted.

Mr. Buller offered the following amendment:

Amend section six by striking out the words "one hundred and twenty-one thousand five hundred and thirty-two dollars and twenty-one cents," and inserting "seventeen thousand one hundred and twenty-one dollars and forty-four cents;"

Which was read and agreed to.

The amendment to the substitute reported by the minority of the committee, was not agreed to by the following vote:

AYES—Messrs. Auer, Bittinger, Borg, Bosbyshell, Brown of Howard, Claiborne, Cloud, Colcord, Collier, Crockett, Doak, Dod, Dolman, Edwards, Frost, Gates, Gray, Haas, Harmon, Hubbell, Hutt, Koch, Lamson, Langston, Latshaw, Marshall, Martin of St. Louis, Maupin, Ming, Mitchell, Mortell, Mullings, O'Bannon of Pettis, Pope, Price, Richardson, Robinson, Sanford, Shields, Sloan, Stone, Squires, Thomas, Walker, Wielandy and Mr. Speaker—46.

NOES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Davis, Dean, Dent, Dolle, Eubanks, Fassen, George, Girdner, Hardin, Hickman, Hooper, Kitchen, Knott, Kost, Leach, Leeper, Logan, Mabrey, McAllister, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Neal, O'Bannon of Dal-

las, Raney, Randall, Rolston, Samuel, Schooley, Scoville, Shafer, Sharp, Smith, Sorrell, Stancil, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Morgan and Worden—67.

Absent—Messrs. Bohn, Bradshaw, Breazeale, Clark, Coleman, Edens, Goodson, Hackman, Howell, Marlin, Martin of Caldwell, Pauley, Ray and Turner—14.

Absent with leave—Messrs. Burrows, Butler, Chilton, Sides and Steele—5.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

The question recurring on the substitute for the original bill, it was not agreed to.

The question recurring on the original bill, which was read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Langston, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Squires, Thomas, Van Roden, Walker, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—99.

NOES—Messrs. Bosbyshell, Claiborne, Colcord, Dent, Gates, Harmon, Hooper, Latshaw, McMillan, Mullinga, Sanford, Schooley, Stone and Wielandy—14.

Absent—Messrs. Bohn, Bradshaw, Breazeale, Coleman, Edens, Fassen, Hackman, Howell, Hubbell, Marlin, Myers, Ray, Sides, Turner, and Von Kochtitzky—15.

Absent with leave—Messrs. Burrows, Butler, Chilton and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter, White of Texas and Williams of Audrain—5.

The title was then read and agreed to.

Mr. Shields offered the following amendment;

Amend the title by striking out the words "warrants in favor of the National Bank of the State of Missouri and," and insert in lieu thereof the words "a warrant in favor;"

Which was read and agreed to.

The title as amended was then agreed to.

Thomas, Turner, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan and Worden—86.

NOES—Messrs. Asher, Buckham, Cloud, Dent, Dolman, Fassen, Hackman, Harmon, Kost, Lamson, Langston, Martin of Caldwell, Miller, Moore of Livingston, Moore of Stone, Myers, Norris, Robinson, Scoville and Wilkes—21.

Absent—Messrs. Adams of Gentry, Ballard, Barnes, Bohn, Bradshaw, Breazeale, Buckham, Butler, Crockett, Edens, Hubbell, Leach, Marlin, McAllister, Neal, Raney, Rolston, Schooley, Shafer, Sides, Van Roden and Walker—25.

Not voting—Messrs. Knott, Mallings and Mr. Speaker—3.

Absent with leave—Messrs. Burton and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4

The main question being put, Messrs. Mullings and Moore of Livingston demanded the ayes and noes.

The Senate substitute was not agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barrett, Bass, Bell, Beltrami, Bennett, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Davis, Dean, Doak, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Howell, Hubbell, Hutt, Kitchen, Koch, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Peltis, Pauley, Price, Raney, Randall, Ray, Richardson, Samuel, Sanford, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain and Mr. Speaker—82.

NOES—Messrs. Abbee, Asher, Bittinger, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Hooper, Kost, Lamson, Langston, Martin of Caldwell, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, O'Bannon of Dallas, Pope, Robinson, Rolston, Schooley, Scoville, Sharp, Shields, Smith, Steele, Wilkes, Williams of Morgan and Worden—35.

Absent—Messrs. Adams of Gentry, Auer, Barnes, Bohn, Bradshaw, Butler, Edens, Knott, Marlin, Mitchell, Shafer, Sides, and Walker—13.

Absent with leave—Messrs. Breazeale, Burrows and Chilton—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Fassen moved to adjourn.

Messrs. Neal and Fassen demanded the ayes and noes.

The motion to adjourn was not agreed to by the following vote :

AYES—Messrs. Abbee, Asher, Borg, Buckham, Bulkley, Cloud, Dolle, Fassen, Hackman, Lamson, Langston, Marshall, Martin of Caldwell, Mullings, Neal, O'Bannan of Pettis, Raney, Rolston, Schooley and Shields—20.

NOES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, Pope, Price, Ray, Richardson, Robinson, Sanford, Sides, Sloan, Smith, Serrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

Absent—Messrs. Abington, Barnes, Bass, Breazeale, Burrows, Butler, Chilton, Colcord, Edens, Leach, Marlin, McAllister, McMillan, McPike, Pauley, Randall, Samuel, Scoville, Shafer, Walker and White of Texas—21.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion,

Have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass;

Which was read.

Mr. Claiborne called up

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion.

Mr. Abbee offered the following amendment:

Amend section one, by striking out "\$50,000 00," and inserting "\$30,000 00;"

Which was read and not agreed to.

On motion of Mr. Claiborne,

The bill was considered engrossed, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Applegate, Asher, Auer, Barrett, Bass, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Dent, Doak, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson,

Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—96.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsop, Ballard, Crockett, Davis, Dean, Hubbell, Hutt, Kitchen, Miller, Norris, O'Bannon of Dallas, Raney, Sanford and Wilkes—17.

Absent—Messrs. Abington, Barnes, Bennett, Butler, Dod, Edens, McAllister, Mitchell, O'Bannon of Pettis, Schooley, Shafer, Squires, Von Kochtitzky and Walker—14.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton, Marlin and Sides—6.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4

The title was then read and agreed to.

Mr. Claiborne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Stone called up

Senate concurrent resolution No. 36, entitled

Concurrent resolution to provide for the appointment of a joint committee to take into consideration the provisions of House bill No. 97, and report to the Twenty-sixth General Assembly at its adjourned session.

On motion, the rules were suspended, the resolution read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Applegate, Asher, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Colcord, Coleman, Collier, Davis, Doak, Dod, Dolle, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hooper, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Sanford, Scoville, Sharp, Shewalter, Sloan, Stancil, Steele, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—88.

NOES—Messrs. Alsop, Crockett, Dean, Hickman, Leeper, Raney, and Robinson—7.

Absent—Messrs. Abington, Adams of Gentry, Auer, Barnes, Beltrami, Borg, Bradshaw, Breazeale, Bunch, Burrows, Butler, Claiborne, Dent, Dolman, Edens, Eubanks, Fassen, Howell, Hubbell, Koch, Leach, Marlin, McAllister, Mitchell, Mortell, Rolston, Samuel, Schooley, Shafer, Shields, Sides, Smith, Sorrell, Stone, Von Kochitzky, Walker, White of Texas, Wilkes, and Williams of Audrain—39.

Absent with leave—Messrs. Chilton and Hardin—2.

Sick—Mr. Gratiot—1.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the concurrent resolution passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 311, entitled,

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

Beg leave to report the same back to the House with the recommendation that the same do pass;

Which was read.

House bill No. 311, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Hooper, Hutt, Knott, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Mabrey, McPike, Miller, Ming, Moore of Livingston, Mortell, Mullings, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Sharp, Shields, Sloan, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—89.

NOES—Messrs. Asher, Cloud, Kost, Lamson, Langston, Moore of Stone and Wilkes—7.

Absent—Messrs. Abbee, Abington, Barnes, Beltrami, Bohn, Borg, Butler, Colcord, Edens, Fassen, Hardin, Howell, Hubbell, Kitchen, Leach, Marlin, Marshall, Martin of Caldwell, Maupin, McAllister, McMillan, Mitchell, Murphy, Neal, Rolston, Scoville, Shafer, Smith, Sorrell, Von Kochtitzky, Walker and Williams of Andrain—32.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Mullings moved to adjourn;
Which was not agreed to.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

Senate bill No. 120,

Beg leave to report they have had the same under consideration, and recommend that it do pass;

Which was read.

Senate bill No. 120, entitled

An act to amend an act entitled an act to incorporate the town of Ironton approved February 1, 1859,

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Bittinger, Bennett, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hardin, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—97.

NOES—Messrs. Hooper and Wilkes—2.

Absent—Messrs. Abington, Asher, Barnes, Beltrami, Borg, Butler, Edens, Fassen, Hickman, Howell, Hubbell, Kitchen, Leach, Marlin, Marshall, Maupin, McAllister, McMillan, Mitchell, Murphy, Raney, Rolston, Shafer, Sides, Sorrell, Stancil, Von Kochtitzky, Walker and Williams of Audrain—29.

Absent with leave—Messrs. Bradshaw, Breazeale, Bunch, Burrows, Chilton, Shewalter and Wielandy—7.

Sick—Messrs. Gratiot and White of Texas—2.

The title was read and agreed to.

Mr. Mitchell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Senate bill No. 156, entitled

An act to appropriate money for building additions to and otherwise enlarging and improving the Missouri Institution for the Education of the Blind,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bittering, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Edwards, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Stone, Mortell, Mullings, Myers, Norris, O'Bannon of Dallas, Pauley, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Sharp, Shields, Steele, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—75.

NOES—Messrs. Adams of Butler, Buckham, Buller, Latshaw, Leeper, Moore of Livingston, Newman, O'Bannon of Pettis, Schooley, Smith, Stone and Wilkes—12.

Absent—Messrs. Abington, Adams of Gentry, Barnes, Beltrami, Bennett, Borg, Butler, Doak, Dolle, Dolman, Edens, Eubanks, Fassen, Frost, Hardin, Harmon, Hickman, Hooper, Howell, Kitchen, Leach, Logan, Marlin, Marshall, McAllister, Mitchell, Murphy, Murray, Neal, Newman, Pope, Raney, Rolston, Shafer, Sloan, Sorrell, Stancil, Von Kochtitzky, Walker, Wielandy and Williams of Audrain—41.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Alsop, Applegate, Barrett, Bass, Bell, Beltrami, Bennett, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Coleman, Collier, Dean, Dent, Dolle, Edens, Edwards, Fassen, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Howell, Hutt, Knott, Koch, Kost, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Mabrey, Maupin, McAllister, McPike, Miller, Ming, Mitchell, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Price, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Sharp, Smith, Stancil, Squires, Thomas, Turner, Walker, Williams of Audrain and Worden—74.

NOES—Messrs. Abbee, Asher, Auer, Ballard, Barnes, Bittinger, Bohn, Bosbyshell, Buckham, Buckley, Butler, Claiborne, Cloud, Crockett, Davis, Doak, Dolman, Eubanks, Frost, Hooper, Hubbell, Lamson, Langston, Marlin, Martin of Caldwell, McMillan, Moore of Livingston, Moore of Stone, Mullings, Pope, Ranev, Randall, Shafer, Shields, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, and Williams of Morgan—40.

Absent—Messrs. Borg, Breazeale, Clark, Colcord, Dod, Hickman, Kitchen, Mortell, Newman, Sanford, Scoville, Sloan, Sorrell, Stone and Mr. Speaker—15.

Absent with leave—Messrs. Burrows, Chilton, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

Mr. Pope offered the following amendment:

Amend by striking out "two hundred and fifty" and insert "fifteen hundred" in place thereof;

Which was read.

On the question of the adoption of the amendment, Messrs. Langston and Wilkes demanded the ayes and noes.

The amendment was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Alsop, Bittinger, Bohn, Bosbyshell, Buckham, Buckley, Claiborne, Clark, Cloud, Crockett, Davis, Doak, Dolman, Frost, Langston, Martin of Caldwell, McMillan, Moore of Livingston, Moore of Stone, Mullings, Scoville, Shafer, Wilkes, and Williams of Morgan—26.

NOES—Messrs. Abington, Adams of Butler, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bennett, Bradshaw, Brown of Monroe, Burrows, Burton, Butler, Coleman, Collier, Dean, Dent, Dolle, Edens, Edwards, Eubanks, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hutt, Knott, Koch, Kost, Latshaw, Leeper, Logan, Marlin, Marshall, Maupin, Mabrey, McAllister, Miller, Ming, Mitchell, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Price, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Sharp, Smith, Sorrell, Stancil, Squires, Thomas, Turner, Von Kochtitzky, Walker, Wielandy, Williams of Audrain and Worden—73.

Not voting—Mr. Speaker—1.

Absent—Messrs. Barnes, Bell, Beltrami, Borg, Breazeale, Brown of Howard, Buller, Colcord, Dod, Fassen, Hickman, Hooper, Howell, Hubbell, Kitchen, Lamson, Leach, Martin of St. Louis, McPike, Mortell, Newman, Pauley, Pope, Raney, Randall, Shields, Sloan, Stone Van Roden, and Wight of Vernon—30.

Absent with leave—Messrs. Chilton, Sides and Steele—3.

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

The question recurring on the adoption of the amendments recommended by the committee;

Which were agreed to.

Mr. Shafer offered the following amendment:

Amend by inserting “\$600 for pay of matron;”

Which was read.

Mr. Stone moved to reject.

Messrs. Shafer and McAllister demanding the ayes and noes, the motion to reject was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Ballard, Barnes, Barrett, Boshyshell, Bradshaw, Brown of Howard, Buller, Burton, Clark, Cloud, Coleman, Collier, Davis, Dent, Doak, Dod, Dolle, Edens, Edwards, Gates, George, Girdner, Goodson, Gray, Hardin, Howell, Hubbell, Lamson, Langston, Latshaw, Leeper, Logan, Martin of St. Louis, McAllister, McPike, Miller, Ming, Murphy, Murray, Myers, Newman, Norris, Pope, Ray, Richardson, Samuel, Sanford, Schooley, Seoville, Sharp, Shields, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Walker, Wight of Vernon, Williams of Audrain and Worden—66.

NOES—Messrs. Abbee, Alsup, Asher, Auer, Bass, Bell, Bennett, Bittinger, Buckham, Bulkley, Butler, Chilton, Claiborne, Crockett, Dolman, Eubanks, Frost, Haas, Hackman, Harmon, Hickman, Hooper, Hutt, Knott, Kost, Leach, Marshall, Martin of Caldwell, Moore of Livingston, Moore of Stone, Mullings, Neal, O'Bannon of Pettis, Price, Raney, Robinson, Shafer, Wielandy and Williams of Morgan—39.

Absent—Messrs. Adams of Gentry, Beltrami, Bohn, Borg, Brown of Monroe, Breazeale, Burrows, Colcord, Dean, Fassen, Kitchen, Marlin, Maupin, Mabrey, McMillan, Mitchell, Mortell, O'Bannon of Dallas, Kitchen, Pauley, Randall, Rolston, Sides, Sloan, Smith, Steele, White of Texas, Wilkes, and Mr. Speaker—29.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Knott offered the following amendment:

Amend section five by inserting after the word “Kansas” the words “and the newspaper published at Jefferson City;”

Which was read.

Mr. Bittinger offered the following amendment to the amendment:

Amend by inserting after the words “Jefferson City and in one newspaper in the city of St. Joseph;”

Which was read and accepted.

Mr. Neal offered the following amendment:

Amend by adding "Bethany papers ;"

Which was read and not agreed to.

Mr. Shields offered the following amendment :

Amend by inserting after the words "Kansas City," the word "Hannibal ;"

Which was read and accepted.

Mr. Knott's amendment as amended was agreed to.

Mr. Wielandy demanded the previous question on the adoption of section five, as amended.

The main question being put, Messrs. Mullings and Cloud demanded the ayes and noes.

The section was adopted by the following vote :

AYES—Messrs. Abington, Applegate, Ballard, Barrett, Bass, Bell, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Bulkley, Burton, Coleman, Collier, Crockett, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Hardin, Harmon, Hutt, Latshaw, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Mitchell, Murphy, Murray, Myers, Neal, Pope, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Sharp, Shields, Sorrell, Turner, Wielandy, Wight of Vernon, Williams of Audrain and Worden—58.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Barnes, Bennett, Bohn, Buller, Burrows, Clark, Cloud, Davis, Dent, Dod, Dolman, Girdner, Haas, Hackman, Hickman, Hooper, Howell, Hubbell, Kitchen, Kost, Lamson, Langston, Leach, Marshall, Marlin, Miller, Moore of Livingston, Moore of Stone, Mullings, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Raney, Rolston, Thomas, Van Roden, Von Kochtitzky, Walker, Wilkes and Williams of Morgan—46.

Absent—Messrs. Borg, Breazeale, Buckham, Butler, Claiborne, Colcord, Dean, Doak, Fassen, Knott, Koch, McMillan, McPike, Mortell, Newman, Pauley, Schooley, Shafer, Sloan, Smith, Stancil, Stone, Squires and Mr. Speaker—25.

Absent with leave—Messrs. Chilton, Ming, Sides and Steele—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

On motion of Mr. Latshaw,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

1889 Jan.
15 2 10 PM '91
1889 Jan.
15 2 10 PM '91

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up

House bill No. 356, entitled

An act to provide for the opening and repairing of public roads, And passed the accompanying substitute therefor.

In which the concurrence of the House is respectfully requested. Which was read.

Mr. Mullings called up

Senate bill No. 201, entitled

An act to appropriate money to cover deficiencies in the appropriations for the years 1869 and 1870;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, and read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Boshyshe, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burton, Clark, Cloud, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Stancil, Stone, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Wilkes, Williams of Morgan, Worden and Mr. Speaker—94.

NOES—Mr. Abbee—1.

Absent—Messrs. Alsup, Asher, Auer, Bell, Breazeale, Buller, Butler, Claiborne, Colcord, Coleman, Doak, Dolman, Edens, George, Hardin, Kitchen, Koch, Leeper, Logan, Maupin, McAllister, McMillan, McPike, Mitchell, Newman, O'Bannon of Pettis, Pauley, Pope, Raney, Ray, Sorrell, Squires, Von Kochitzky, Walker, and Williams of Audrain—34.

—4. Absent with leave—Messrs. Burrows, Chilton, Sides and Steele

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

The House resumed the consideration of
House bill No. 458, entitled

An act to amend sections two, four, five, sixteen and eighteen, of chapter two hundred and twenty-one, of the General Statutes of Missouri, and section two, four, five, sixteen and eighteen, of chapter one hundred and seven, Wagner's Statutes.

The vote by which section five was adopted was reconsidered, and the amendments inserting Hannibal, Kansas City, Jefferson City and St. Joseph was stricken out;

On motion the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Gentry, Adams of Butler, Alsop, Applegate, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Collier, Crockett, Davis, Doak, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Latshaw, Leach, Leeper, Logan, Martin of Caldwell, Mabrey, McPike, Ming, Mortell, Mullings, Murphy, Murray, Myers, Norris, Pauley, Pope, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Sharp, Shields, Smith, Sorrell, Stancil, Stone, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, and Worden—79.

NOES—Messrs. Abbee, Asher, Auer, Bell, Bittinger, Bohn, Clark, Dean, Dent, Fassen, Hutt, Knott, Kost, Lamson, Langston, Marshall, Miller, Moore of Livingston, Moore of Stone, O'Bannan of Dallas, O'Bannon of Pettis, Price, Randall, Schooley, Scoville, Shafer, Squires, Von Kochitzky, Wilkes, Williams of Audrain, Williams of Morgan and Mr. Speaker—31.

Absent—Messrs. Butler, Bell, Colcord, Coleman, Dolman, Edens, Kitchen, Koch, Marlin, Martin of St. Louis, Maupin, McAllister, McMillan, Mitchell, Neal, Newman, Sides, Sloan, Walker, and White of Texas—10.

Absent with leave—Messrs. Breazeale, Burrows and Chilton—3.

Sick—Messrs. Breazeale, Bunch, Gratiot and Shewalter,—4.

The title of the bill was then read and agreed to.

Mr. Gates moved to reconsider the vote by which the bill passed, and lay his motion to reconsider on the table;

Which was agreed to.

Mr. Gates, from the Committee on Penitentiary, submitted the following report:

MR. SPEAKER; Your Committee on Penitentiary have had under consideration

House bill No. 471,

Appropriating \$50,000 for paying outstanding indebtedness and current expenses for the year 1871.

And have directed me to report said bill and recommend that it do pass;

Which was read.

House bill No. 471, entitled

An act appropriating money for the Penitentiary;

Was taken up,

On motion, the rules were suspended, the bill as amended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Aner, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burton, Claiborne, Clark, Cloud, Collier, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—Messrs. Buller and Dean—2.

Absent—Messrs. Asher, Bell, Butler, Colcord, Coleman, Edens, Kitchen, Koch, Marlin, Marshall, Maupin, Newman, Schooley, Sloan, Turner and Walker—16.

Absent with leave—Messrs. Breazeale, Burrows, Chilton, Steele and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The following message was received from the Senate by the Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body,

Senate bill No. 154, entitled

An act to collect and arrange in one act the original charter of town of Carrollton, and the various amendments thereto, so far as the same are now in force, and to amend the same,

In which the concurrence of the House is respectfully requested. Which was read.

Mr. Shields called for the regular order, being

Senate bill No. 175, entitled

An act concerning the assessment and collection of the revenue.

Mr. Mullings moved to postpone the further consideration of the bill to the adjourned session of this General Assembly.

Messrs. Dean and Shafer demanding the ayes and noes, the motion to postpone was not agreed to by the following vote :

AYES—Messrs. Adams of Gentry, Bass, Bittering, Bosbyshell, Buckham, Claiborne, Clark, Cloud, Collier, Dent, Eubanks, Gray, Lamson, Langston, Latshaw, Logan, Maupin, McMillan, Mitchell, Moore of Stone, Mullings, Murphy, Shafer, Sorrell, Stone, Van Roden, Wielandy, Williams of Audrain, Williams of Morgan and Worden—30.

NOES—Messrs. Abbee, Adams of Butler, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Beltrami, Bennett, Bohn, Bradshaw, Brown of Howard, Brown of Monroe, Bulkley, Buller, Burton, Coleman, Crockett, Davis, Dean, Doak, Dod, Dolle, Dolman, Edwards, Fassen, Frost, George, Girdner, Goodson, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Knott, Kost, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McPike, Miller, Ming, Murray, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Smith, Stancil, Stone, Squires, Thomas, Turner, Walker, Wight of Vernon and Wilkes—76.

Absent—Messrs. Abington, Alsop, Bell, Borg, Breazeale, Burrows, Butler, Colcord, Gates, Hickman, Hubbell, Hutt, Kitchen, Koch, Marlin, Moore of Livingston, Mortell, Myers, Newman, Rolston, Sides, Sloan, Steele, Von Kochtitzky and White of Texas—25.

Absent with leave—Messrs. Edens and Chilton—2.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Not voting—Mr. Speaker—1.

Mr. Shields called up
House bill No. 356, entitled

- . An act to provide for the opening and repairing of public roads, Together with a substitute recommended by the Senate.

Mr. Shields moved to postpone the consideration of bill and substitute until 7½ o'clock, P. M.

Mr. Bittering moved to lay that motion on the table ;
Which was not agreed to.

Mr. Shields offered the following resolution :

Resolved, That the Senate bill in relation to roads be made a special order for the night session to begin to-night at 7½ o'clock, and be continued till final action thereon ;

Which was read.

Mr. Pope demanded the previous question, being on the adoption of Mr. Shields' resolution,

The main question being put, the resolution was not agreed to.

Mr. Haas moved to adjourn until 7½, P. M. ;
Which was agreed to.

NIGHT SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 181, entitled

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857,

And passed the same with the inclosed amendment;

Also has taken up

House bill No. 489, entitled

An act changing the time of holding circuit court in the counties of the fifth judicial circuit, and granting to the counties of Clay, Clinton and Platte, in said circuit, three terms of said court annually, and to provide for the payment by said counties of a compensation to the judge of said circuit in addition to his present salary.

House bill No. 331, entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri.

House bill No. 42, entitled

An act to amend chapter sixty-three of the General Statutes, "of railroad companies," by adding certain sections thereto.

House bill No. 291, entitled

An act to amend an act, approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865; and

House bill No. 220, entitled

An act to amend an act entitled an act to incorporate the German School in Hermann, Gasconade county, Missouri, approved March 10, 1849, approved February 25, 1870;

Also the Senate has taken up and passed, with amendment,

House bill No. 373, entitled

An act in relation to the collection of special tax bills in the city of St. Louis issued for street and alley work and for constructing district sewers.

House bill No. 327, entitled

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty-six of the General Statutes entitled "of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit," approved March 22, 1870, (the same being section forty-four of article fifteen of chapter forty-one of Wagner's Statutes), and to repeal sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit.

House bill No. 483, entitled

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interests which have been improperly diverted from their objects and purposes, and to employ counsel and compensate them for prosecuting such proceedings, approved March 22, 1870.

In which the concurrence of the House is respectfully solicited.
Which was read.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body

Senate bill No. 127, entitled

An act amendatory of an act entitled an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, and revised and amended by an act entitled an act to revive an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, approved March 26, 1845.

Senate concurrent resolution No. 36, entitled

Concurrent resolution to provide for the appointment of a joint committee to take into consideration the provision of House bill No. 27, and report to the 26th General Assembly at its adjourned session.

Senate bill No. 211, entitled

An act amending section eight, chapter fifty-six, General Statutes, in relation to Lunatic Asylum; also

Substitute for Senate bill No. 100, entitled

An act to amend section five, chapter one hundred and sixty-five, General Statutes of Missouri, concerning practice in civil cases.

In all of which the concurrence of the House is respectfully requested.

Which was read.

The Speaker laid before the House the following communication from the Chief Clerk:

HOUSE OF REPRESENTATIVES, March 16, 1871.

MR. SPEAKER: In accordance with the resolution of the House passed March 14, 1871, I have received from the Public Printer one thousand copies of the bound published report of the State Superintendent of Public Instruction, and have delivered the same to O. M. Baker, Assistant State Superintendent, his receipt for which is herein attached.

Respectfully,

D. A. SUTTON, *Chief Clerk.*

Received from D. A. Sutton, Chief Clerk of the House of Representatives, 26th General Assembly, one thousand copies of the fifth annual report of the State Superintendent of Public Instruction, ordered by the House January 31st, 1871.

O. M. BAKER,

Assistant State Superintendent.

Which was read.

Mr. McMillan called up

House bill No. 181, entitled

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857.

The following amendment recommended by the Senate:

Amend section one by striking out all after the word section "seven," in the fifth line down to the word "nineteen," in the ninth line, and insert the following:

"Said company shall have power to survey, mark, locate, construct, maintain and operate a railroad, commencing at any point between Jefferson City and Round Hill by the most practicable route through the counties;"

Which was read and agreed to.

Mr. Stone, from St. Louis delegation, submitted the following report:

MR. SPEAKER: The committee on St. Louis delegation, to whom was referred

House bill No. 299,

An act to reorganize the county court of Saint Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justices shall be severally elected, and to change the term of office, and the time of office, and the time for electing the said justices,

Have had the same under consideration, respectfully report that a majority of your committee recommend that the same do pass;

Which was read.

Mr. Pope called up

House bill No. 293, entitled

An act to reorganize the county court of St. Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justices shall be severally elected, and to change the term of office and the time for electing the said justices.

The substitute recommended by the Senate was taken up and concurred in.

Mr. Pope called up

House bill No. 363, entitled

An act to provide for the election of county treasurer and judge of the criminal court in the county of St. Louis, and to provide for the deposit of the public funds;

Which was taken up and Senate substitute concurred in.

The regular order was taken up, being Senate substitute for House bill No. 356, entitled

An act to provide for the opening and repairing of public roads.

Mr. Brown of Howard moved to not concur in Senate substitute.

Mr. Asher called for the reading of the original bill.

Mr. Brown of Howard moved to dispense with the reading.

Messrs. Asher and Neal demanding the ayes and noes, the motion to dispense with the reading of the bill was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Ballard, Barrett, Bass, Beltrami, Bennett, Bittinger,

Bohn, Borg, Boshyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Howell, Hubbell, Hutt, Knott, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Mabrey, McAllister, McPike, Ming, Mortell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Sharp, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Williams of Audrain and Worden—91.

NOES—Messrs. Abbee, Asher, Auer, Cloud, Dolle, Dolman, Hackman, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Martin of Caldwell, McMillan, Miller, Moore of Stone, Moore of Livingston, Neal, Raney, Scoville, Shields, Steele, Wilkes and Williams of Morgan—25.

Absent—Messrs. Barnes, Bradshaw, Breazeale, Bunch, Burrows, Butler, Clark, Edens, Fassen, Kitchen, Leach, Marlin, Maupin, Mitchell, Shafer, Sides and Walker—18.

Not voting—Mr. Speaker—1.

Absent with leave—Mr. Chilton—1.

Sick—Messrs. Gratiot and Shewalter—2.

Mr. Mullings offered the following amendment to the substitute:
Amend by striking out section three of the substitute;
Which was read, and on the adoption of which Messrs. Neal and Asher demanded the ayes and noes.

The amendment was not agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Ballard, Bennett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Boshyshell, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Colcord, Collier, Coleman, Davis, Dean, Dent, Dod, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Howell, Hutt, Kitchen, Knott, Koch, Latshaw, Leeper, Logan, Martin, Maupin, Mabrey, McAllister, McPike, Ming, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Sloan, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain and Worden—75.

NOES—Messrs. Abbee, Asher, Bohn, Buckham, Bulkley, Clark, Cloud, Crockett, Dod, Dolle, Dolman, Eubanks, Fassen, Hackman, Harmon, Kost, Lamson, Langston, Martin of Caldwell, McMillan, Miller, Moore of Livingston, Mullings, Neal, Norris, O'Bannon of Dallas, Pope, Raney, Rolston, Schooley, Shafer, Sharp, Shields, Steele, Wilkes and Williams of Morgan—36.

Absent—Messrs. Adams of Gentry, Alsup, Barnes, Bradshaw, Breazeale, Burrows, Butler, Chilton, Edens, Hickman, Hooper, Hubbell, Leach, Marlin, Marshall, Mitchell, Moore of Stone, Sides, Smith, Walker, White of Texas and Mr. Speaker—22.

Sick—Messrs. Bunch, Chilton, Gratiot and Shewalter—4.

Mr. Bittinger moved the previous question,
Being on the motion of Mr. Brown of Howard, to disagree to the
Senate substitute,

Upon which Messrs. Neal and Mullings demanded the ayes and
noes.

The previous question was ordered by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Coleman, Collier, Davis, Dean, Doak, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Howell, Hutt, Kitchen, Knott, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Pauley, Price, Raney, Randall, Ray, Richardson, Samuel, Sanford, Schooley, Sharp, Sloan, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—79.

NOES—Messrs. Abbee, Asher, Bohn, Buckham, Clark, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Eubanks, Fassen, Hackman, Harmon, Hickman, Hooper, Hubbell, Kost, Lamson, Langston, Leach, Martin of Caldwell, McAllister, McMillan, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Robinson, Rolston, Scoville, Shields, Steele and Wilkes—38.

Absent—Messrs. Barnes, Bradshaw, Bulkley, Butler, Colcord, Edens, Marlin, Mitchell, Pope, Shafer, Sides, Walker and Williams of Morgan—13.

Absent with leave—Messrs. Breazeale, Burrows and Chilton—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Mullings offered an amendment to the substitute;

Which the Speaker declared out of order inasmuch as the previous question had been ordered.

Messrs. Neal and Asher appealed from the decision of the Speaker, upon which Messrs. Mullings and Neal demanded the ayes and noes.

The decision of the Speaker was sustained by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Alsup, Applegate, Auer, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Buller, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Davis, Dean, Doak, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Hooper, Howell, Hutt, Kitchen, Koch, Latshaw, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Ming, Mitchell, Mortell, Murphy, Murray, Newman, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Samuel, Sanford, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires,

Thomas, Turner, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan and Worden—86.

NOES—Messrs. Asher, Buckham, Cloud, Dent, Dolman, Fassen, Hackman, Harmon, Kost, Lamson, Langston, Martin of Caldwell, Miller, Moore of Livingston, Moore of Stone, Myers, Norris, Robinson, Scoville and Wilkes—21.

Absent—Messrs. Adams of Gentry, Ballard, Barnes, Bohn, Bradshaw, Breazeale, Buckham, Butler, Crockett, Edens, Hubbell, Leach, Marlin, McAllister, Neal, Raney, Rolston, Schooley, Shafer, Sides, Van Roden and Walker—25.

Not voting—Messrs. Knott, Mullings and Mr. Speaker—3.

Absent with leave—Messrs. Burton and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4

The main question being put, Messrs. Mullings and Moore of Livingston demanded the ayes and noes.

The Senate substitute was not agreed to by the following vote :

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Ballard, Barrett, Bass, Bell, Beltrami, Bennett, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Colcord, Coleman, Collier, Davis, Dean, Doak, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Howell, Hubbell, Hutt, Kitchen, Koch, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Price, Raney, Randall, Ray, Richardson, Samuel, Sanford, Sloan, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain and Mr. Speaker—82.

NOES—Messrs. Abbee, Asher, Bittinger, Cloud, Crockett, Dent, Dod, Dolle, Dolman, Fassen, Hackman, Harmon, Hooper, Kost, Lamson, Langston, Martin of Caldwell, Miller, Moore of Livingston, Moore of Stone, Mullings, Neal, O'Bannon of Dallas, Pope, Robinson, Rolston, Schooley, Scoville, Sharp, Shields, Smith, Steele, Wilkes, Williams of Morgan and Worden—35.

Absent—Messrs. Adams of Gentry, Auer, Barnes, Bohn, Bradshaw, Butler, Edens, Knott, Marlin, Mitchell, Shafer, Sides, and Walker—13.

Absent with leave—Messrs. Breazeale, Burrows and Chilton—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Fassen moved to adjourn.

Messrs. Neal and Fassen demanded the ayes and noes.

The motion to adjourn was not agreed to by the following vote :

AYES—Messrs. Abbee, Asher, Borg, Buckham, Bulkley, Cloud, Dolle, Fassen, Hackman, Lamson, Langston, Marshall, Martin of Caldwell, Mullings, Neal, O'Bannan of Pettis, Raney, Rolston, Schooley and Shields—20.

NOES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Latshaw, Leeper, Logan, Martin of St. Louis, Maupin, Mabrey, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, Pope, Price, Ray, Richardson, Robinson, Sanford, Sides, Sloan, Smith, Serrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—93.

Absent—Messrs. Abington, Barnes, Bass, Breazeale, Burrows, Butler, Chilton, Colcord, Edens, Leach, Marlin, McAllister, McMillan, McPike, Pauley, Randall, Samuel, Scoville, Shafer, Walker and White of Texas—21.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Latshaw, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion,

Have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass;

Which was read.

Mr. Claiborne called up

Senate bill No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion.

Mr. Abbee offered the following amendment:

Amend section one, by striking out "\$50,000 00," and inserting "\$30,000 00;"

Which was read and not agreed to.

On motion of Mr. Claiborne,

The bill was considered engrossed, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Applegate, Asher, Auer, Barrett, Bass, Bell, Beltrami, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Dent, Doak, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson,

Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—96.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Ballard, Crockett, Davis, Dean, Hubbell, Hutt, Kitchen, Miller, Norris, O'Bannon of Dallas, Raney, Sanford and Wilkes—17.

Absent—Messrs. Abington, Barnes, Bennett, Butler, Dod, Edens, McAllister, Mitchell, O'Bannon of Pettis, Schooley, Shafer, Squires, Von Kochtitzky and Walker—14.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton, Marlin and Sides—6.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4

The title was then read and agreed to.

Mr. Claiborne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Stone called up

Senate concurrent resolution No. 36, entitled

Concurrent resolution to provide for the appointment of a joint committee to take into consideration the provisions of House bill No. 97, and report to the Twenty-sixth General Assembly at its adjourned session.

On motion, the rules were suspended, the resolution read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Applegate, Asher, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Colcord, Coleman, Collier, Davis, Doak, Dod, Dolle, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hooper, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Sanford, Scoville, Sharp, Shewalter, Sloan, Stancil, Steele, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—88.

NOES—Messrs. Alsup, Crockett, Dean, Hickman, Leeper, Raney, and Robinson—7.

Absent—Messrs. Abington, Adams of Gentry, Auer, Barnes, Beltrami, Borg, Bradshaw, Breazeale, Bunch, Burrows, Butler, Claiborne, Dent, Dolman, Edens, Eubanks, Fassen, Howell, Hubbell, Koch, Leach, Marlin, McAllister, Mitchell, Mortell, Rolston, Samuel, Schooley, Shafer, Shields, Sides, Smith, Sorrell, Stone, Von Kochtitzky, Walker, White of Texas, Wilkes, and Williams of Audrain—39.

Absent with leave—Messrs. Chilton and Hardin—2.

Sick—Mr. Gratiot—1.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the concurrent resolution passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Brown of Monroe, of the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 311, entitled,

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

Beg leave to report the same back to the House with the recommendation that the same do pass ;

Which was read.

House bill No. 311, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Hooper, Hutt, Knott, Koch, Latshaw, Leeper, Logan, Martin of St. Louis, Mabrey, McPike, Miller, Ming, Moore of Livingston, Mortell, Mullings, Murray, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Sharp, Shields, Sloan, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—89.

NOES—Messrs. Asher, Cloud, Kost, Lamson, Langston, Moore of Stone and Wilkes—7.

Absent—Messrs. Abbee, Abington, Barnes, Beltrami, Bohn, Borg, Butler, Colcord, Edens, Fassen, Hardin, Howell, Hubbell, Kitchen, Leach, Marlin, Marshall, Martin of Caldwell, Maupin, McAllister, McMillan, Mitchell, Murphy, Neal, Rolston, Scoville, Shafer, Smith, Sorrell, Von Kochtitzky, Walker and Williams of Audrain—32.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was read and agreed to.

Mr. Goodson moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Mullings moved to adjourn;
Which was not agreed to.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

Senate bill No. 120,

Beg leave to report they have had the same under consideration, and recommend that it do pass;

Which was read.

Senate bill No. 120, entitled

An act to amend an act entitled an act to incorporate the town of Ironton approved February 1, 1859,

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Bitteringer, Bennett, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hardin, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—97.

NOES—Messrs. Hooper and Wilkes—2.

Absent—Messrs. Abington, Asher, Barnes, Beltrami, Borg, Butler, Edens, Fassen, Hickman, Howell, Hubbell, Kitchen, Leach, Marlin, Marshall, Maupin, McAllister, McMillan, Mitchell, Murphy, Raney, Rolston, Shafer, Sides, Sorrell, Stancil, Von Kochtitzky, Walker and Williams of Audrain—29.

Absent with leave—Messrs. Bradshaw, Breazeale, Bunch, Burrows, Chilton, Shewalter and Wielandy—7.

Sick—Messrs. Gratiot and White of Texas—2.

The title was read and agreed to.

Mr. Mitchell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Senate bill No. 156, entitled

An act to appropriate money for building additions to and otherwise enlarging and improving the Missouri Institution for the Education of the Blind,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bittinger, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Edwards, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Stone, Mortell, Mullings, Myers, Norris, O'Bannon of Dallas, Pauley, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Sharp, Shields, Steele, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—75.

NOES—Messrs. Adams of Butler, Buckham, Buller, Latshaw, Leeper, Moore of Livingston, Newman, O'Bannon of Pettis, Schooley, Smith, Stone and Wilkes—12.

Absent—Messrs. Abington, Adams of Gentry, Barnes, Beltrami, Bennett, Borg, Butler, Doak, Dolle, Dolman, Edens, Eubanks, Fassen, Frost, Hardin, Harmon, Hickman, Hooper, Howell, Kitchen, Leach, Logan, Marlin, Marshall, McAllister, Mitchell, Murphy, Murray, Neal, Newman, Pope, Raney, Rolston, Shafer, Sloan, Sorrell, Stancil, Von Kochtitzky, Walker, Wielandy and Williams of Audrain—41.

Absent with leave—Messrs. Bradshaw, Breazeale, Burrows, Chilton and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Samuel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 165, entitled

An act to appropriate money for the benefit of the State Deaf and Dumb Asylum,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Aplegate, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittering, Bohn, Bosbyshell, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burrows, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dent, Doak, Dod, Dolman, Edwards, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hooper, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Myers, Neal, Newman, Norris, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Sharp, Shields, Smith, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wight of Vernon, Williams of Morgan, Worden and Mr. Speaker—86.

NOES—Messrs. Buller and Wilkes—2.

Absent—Messrs. Abington, Alsup, Asher, Barnes, Beltrami, Borg, Bradshaw, Breazeale, Bunch, Burton, Butler, Chilton, Dean, Dolle, Edens, Eubanks, Fassen, George, Hardin, Hickman, Howell, Kitchen, Leach, Logan, Marlin, Marshall, McAllister, McPike, Mitchell, Murphy, Murray, O'Bannon of Dallas, O'Bannon of Pettis, Raney, Rolston, Schooley, Scoville, Shafer, Sides, Sloan, Sorrell, Stancil, Von Kochtitzky, Walker, Wielandy and Williams of Audrain—46.

Sick—Messrs. Gratiot, Shewalter and White of Texas—3.

The title was read and agreed to.

Mr. Samuel moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Samuel called up

Senate bill No. 211, entitled

An act to amend sections eight, nineteen and twenty-five, chapter fifty-six, General Statutes, entitled "of the State Lunatic Asylum."

On motion of Mr. Mullings,

The House adjourned until to-morrow morning at 9 o'clock.

FRIDAY, MARCH 17, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Rev. Mr. Huber, Chaplain.

The journal of yesterday was being read, when,
On motion of Mr. Hubbell,
The further reading of the journal was dispensed with.

Mr. Brown of Howard offered the following resolution:

Resolved, That we devote the morning hour to pass local bills reported on Clerk's desk. At 11 o'clock committees to report for the Clerk's desk all bills which are recommended to pass in their order. House bills first.

Second. When all committees have reported then each member can call up one House or Senate bill as he may elect, counties in their order;

Which was read.

Mr. Eubanks offered the following amendment:

That the roll shall be called, and that each member, when his name is called, may call up any bill on the Clerk's desk;

Which was read.

Mr. Neal moved to lay the amendment on the table;

Which was not agreed to.

Mr. Gates moved to reject the substitute.

Mr. Shields rose to a point of order, and stated that a motion to reject was not in order according to parliamentary usage.

The Speaker decided the point of order not well taken.

Mr. Shields appealed from the decision of the Speaker.

On the question "Shall the decision of the Speaker be sustained?"

Messrs. Mullings and Shields demanded the ayes and noes.

The decision of the Speaker was sustained by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Edwards, Eubanks, Frost, Gates, George, Girdner, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hutt, Knott, Kost, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Mabrey, McPike, Ming, Murphy, Myers, Newman, Norris, O'Bannon of Pettis, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, Williams of Audrain and Worden—79.

NOES—Messrs. Abbee, Asher, Dent, Dod, Hooper, Lamson, Langston, Martin of Caldwell, Miller, Moore of Stone, Mullings, Neal, Shields and Wilkes—14.

Not voting—Mr. Speaker—1.

Absent—Messrs. Alsup, Bell, Borg, Breazeale, Butler, Claiborne, Clark, Cloud, Colcord, Dolman, Edens, Fassen, Goodson, Hubbell, Kitchen, Koch, Marlin, Maupin, McAllister, McMillan, Mitchell, Moore of Livingston, Mortell, Murray, O'Bannon of Dallas, Pauley, Pope, Schooley, Scoville, Shafer, Sharp, Sloan, Van Roden, Walker, Wight of Vernon and Williams of Morgan—36.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

Amendment agreed to.

Mr. Dod offered the following amendment:

Amend by adding "and that each committee be called in its order and have leave to report one bill;"

Which was read.

Mr. Thomas moved to reject the amendment;

Which was agreed to.

The question recurring on the adoption of the resolution offered by Mr. Brown of Howard,

Messrs. Wilkes and Neal demanding the ayes and noes,

The resolution was adopted by the following vote:

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Frost, Gates, George, Girdner, Gray, Hackman, Hardin, Howell, Hubbell, Hutt, Knott, Latshaw, Leach, Logan, Martin of St. Louis, Maupin, Mabrey, McPike, Ming, Moore of Livingston, Murphy, Myers, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Shields, Smith, Sorrell, Stancil, Stone, Squires, Thomas, Turner, Von Kochtitzky, Wielandy, Williams of Audrain and Mr. Speaker—80.

NOES—Messrs. Asher, Cloud, Eubanks, Haas, Harmon, Hickman, Hooper, Kost, Lamson, Langston, Martin of Caldwell, McMillan, Miller, Moore of Stone, Mullings, Neal, Scoville, Steele, Wilkes, Williams of Morgan and Worden—21.

Absent—Messrs. Abbee, Bell, Bohn, Borg, Butler, Claiborne, Clark, Colcord, Dolman, Edens, Fassen, Goodson, Kitchen, Koch, Leeper, Marlin, Marshall, McAllister, Mitchell, Mortell, Murray, Pauley, Shafer, Sharp, Sloan, Van Roden, Walker, and Wight of Vernon—28.

Absent with leave—Messrs. Breazeale, Burrows, Chilton and Sides—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

House bill No. 462, entitled

An act to enable the clerk of the county court of Atchison county to advertise delinquent land list for the year 1869,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Lamson, Langston, Latshaw, Leach, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Shields, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—107.

NOES—None.

Absent—Messrs. Bell, Borg, Butler, Claiborne, Clark, Colcord, Dolman, Fassen, Koch, Kost, Leeper, Marlin, McMillan, Mitchell, Mortell, Murphy, Pauley, Schooley, Shafer, Sides, Sloan, Wight of Vernon and Walker—23.

Absent with leave—Messrs. Breazeale, Burrows and Chilton—3.

Sick—Messrs. Bunch, Gratiot, Shewalter, and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Buckham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

Mr. Colcord introduced a bill entitled

An act to facilitate the collection of taxes for the year 1871 ;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, and read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner,

Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Marshall, Martin of St. Louis, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Murphy, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—104.

NOES—None.

Absent—Messrs. Asher, Bell, Butler, Claiborne, Cloud, Colcord, Dolman, Fassen, Koch, Leeper, Martin of Caldwell, Maupin, McAllister, Mitchell, Mortell, Mullings, Murray, Myers, Raney, Shafer, Sides, Sloan, Smith, Walker, Wielandy and White of Texas—26.

Absent with leave—Messrs. Breazeale, Bunch, Burrows, Chilton and Marlin—5.

Sick—Messrs. Gratiot and Shewalter—2.

Mr. Pope offered the following amendment to the title:

Amend title by adding: "and to provide for the assessment of real estate for 1872, and to regulate the assessment in St. Louis county;"

Which was read and agreed to.

Mr. Colcord moved to reconsider the vote by which the bill passed and to lay his motion on the table;

Which was agreed to.

Mr. Moore of Livingston, called up

House bill No. 173, entitled

An act to amend sections two and twelve of an act entitled an act to incorporate the Lexington and Utica Railroad Company;

Which was read.

The following amendments recommended by the Committee on Banks and Corporations:

Amend section one by striking out all between the word "of," in line one, and the word "approved" in line three, and inserting in lieu thereof the words "an act entitled an act to incorporate the Lexington and Utica Railroad Company."

Amend section two by striking out all before the word "is," in line four, and inserting in lieu thereof the following: Section two. "Section twelve of the above recited act;"

Which were read and agreed to.

On motion, the rules suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hack-

man, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Kost, Lamson, Latshaw, Leach, Leeper, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Samuel, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Worden and Mr. Speaker—104.

NOES—None.

Absent—Messrs. Asher, Bohn, Breazeale, Burrows, Butler, Claiborne, Colcord, Dolman, Edens, Edwards, Fassen, George, Knott, Koch, Langston, Logan, Marlin, Maupin, Mitchell, Mortell, Murray, Myers, Rolston, Sanford, Shafer, Sides, Walker, Williams of Audrain and Williams of Morgan—29.

Sick—Messrs. Bunch, Chilton, Gratiot and Shewalter—5.

The title was read and agreed to.

Mr. Moore of Livingston, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;
Which was agreed to.

On motion, leave of absence was granted to Mr. Leeper until the 20th inst.

House bill No. 402, entitled

An act to amend an act entitled an act to incorporate the Mount Mora Cemetery Association of St. Joseph, approved February 22, 1851.

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Burton, Claiborne, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Eubanks, Frost, Gates, George, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Sharp, Shields, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan Worden, and Mr. Speaker—108.

NOES—Mr. Buller—1.

Absent—Messrs. Asher, Bell, Bohn, Bulkley, Butler, Clark, Colcord, Dolman, Edens, Fassen, Koch, Marlin, Mitchell, Mortell, Murray, Sanford, Shafer, Sloan, Smith and Walker—19.

Absent with leave—Messrs. Breazeale, Bunch, Burrows, Chilton and Sides—5.

Sick—Messrs. Gratiot, Shewalter, and White of Texas—3.

Mr. Wielandy, of the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred

House bill No. 150, entitled

An act to amend an act entitled an act protecting fisheries in Platte county, approved February 20, 1865,

Have had said bill under consideration and have instructed me to report that they recommend that the same do pass;

Which was read.

House bill No. 150, entitled

An act to amend an act entitled an act protecting fisheries in Platte county, approved February 20, 1865,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Dod, Doak, Dolle, Edens, Eubanks, Frost, Gates, George, Gardner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Neal, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Smith, Sorrell, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—110.

NOES—None.

Absent—Messrs. Bell, Butler, Colcord, Dolman, Edwards, Fassen, Koch, Leach, Marlin, Marshall, Mitchell, Mortell, Murray, Myers, Shafer, Sloan, Stancil and Walker—18.

Absent with leave—Messrs. Breazeale, Burrows, Chilton, Leeper and Sides—5.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Stone, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee composed of the St. Louis Delegation, to whom was referred

House bill No. 347,

An act to amend an act entitled an act to revise the charter of the City of St. Louis, and to extend the limits thereof, approved March 4, 1870.

Have had the same under consideration, and have instructed me to report the bill back to the House with the recommendation that it do pass;

Which was read.

House bill No. 347, entitled

An act to amend an act entitled an act to revise the charter of the City of St. Louis, and to extend the limits thereof, approved March 4, 1870;

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Alsup, Applegate, Auer, Bailard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Sharp, Shields, Sloan, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—106.

NOES—None.

Absent—Messrs. Adams of Gentry, Asher, Bell, Breazeale, Burrows, Butler, Colcord, Dolman, Edwards, Fassen, Koch, Marlin, Marshall, Mitchell, Mortell, Myers, Neal, Newman, Schooley, Scoville, Shafer, Sides, Sorrell, Stancil, Walker, and White of Texas—26.

Absent with leave—Messrs. Chilton and Leeper—2.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

On motion, leave of absence was granted to Mr. George until the 20th inst.

Mr. Neal introduced a bill entitled

An act to change the times and terms of holding the circuit court in Harrison county,

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Monroe, Buckham, Bulkley, Burton, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Sharp, Shields, Sloan, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—109.

NOES—Messrs. Kost and Lamson—2.

Absent—Messrs. Asher, Bass, Bell, Breazeale, Brown of Howard, Buller, Burrows, Butler, Chilton, Claiborne, Colcord, Dolman, Koch, Leeper, Marlin, Marshall, Mitchell, Mortell, Scoville, Shafer, Sides, Sloan, Walker and White of Texas—24.

Sick—Messrs. Bunch, and Shewalter—2.

Mr. Knott introduced a bill entitled

An act to change the terms and times of holding circuit court in the county of Daviess;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbe, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Buller, Burton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Edens, Edwards, Eubanks, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lawson, Langston, Latshaw, Leach, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McAllister, McMillan, McPike, Miller, Moore of Livingston, Moore of Stone, Mullings, Murphy, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Van Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—106.

NOES—None.

Absent—Messrs. Alsup, Bell, Breazeale, Butler, Claiborne, Colcord, Dod, Dolman, Fassen, Frost, Koch, Marlin, Maupin, Mitchell, Mortell, Murray, Newman, Schooley, Shafer, Shields, Sloan, Smith and Walker—23.

Absent with leave—Messrs. Burrows, Chilton, Leeper and Sides—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

House bill No. 226, entitled

An act to amend an act entitled an act to establish a probate court in the counties of Greene, Polk, Barry, Newton and Cedar, approved February 11, 1847;

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dolle, Edens, Edwards, Eubanks, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kuott, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Smith, Sorrell, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—111.

NOES—Mr. Clark—1.

Absent—Messrs. Alsup, Asher, Bell, Breazeale, Burrows, Butler, Chilton, Claiborne, Dod, Dolman, Fassen, Kitchen, Koch, Marlin, Mitchell, Mortell, Murphy, Shafer, Sides, Sloan, Walker and White of Texas—22.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Stone, from the Committee of the St. Louis Delegation submitted the following report :

MR. SPEAKER : The Committee on St. Louis Delegation, to whom was referred

House bill No. 448,

An act to authorize the re-assessment and collection of the cost of constructing, re-constructing and repairing the sidewalks and carriage-ways of certain streets, and grading, paving and repairing certain alleys, and of abolishing nuisances, and filling or draining ponds and low grounds on private property in the city of St. Louis,

Have had the same under consideration and respectfully recommend the same do pass;
Which was read.

House bill No. 448, entitled

An act to authorize the re-assessment and collection of the cost of constructing, reconstructing and repairing the sidewalks and carriage ways of certain streets, and grading, paving and repairing certain alleys, and of abolishing nuisances and filling or draining ponds and low grounds on private property in the city of St. Louis,

Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Ballard, Barnes, Barrett, Bass, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Colcord, Coleman, Collier, Davis, Dean, Dent, Doak, Dod, Dolle, Edens, Edwards, Frost, Gates, George, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hooper, Howell, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabréy, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murray, Murphy, Myers, Neal, Newman, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Ray, Richardson, Robinson, Rolston, Samuel, Scoville, Shafer, Sharp, Shields, Sloan, Sorrell, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Worden and Mr. Speaker—103.

NOES—Messrs. Auer, Eubanks and Hickman—3.

Absent—Messrs. Abington, Asher, Bell, Breazeale, Butler, Clark, Crockett, Dolman, Fassen, Kitchen, Marlin, McAllister, McMillan, McPike, Mitchell, Mortell, Randall, Sanford, Schooley, Smith, Stancil, Steele, Walker and Williams of Morgan—24.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—1.

The title of the bill was then read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Brown of Monroe, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred

House bill No. 460, entitled

An act attaching certain territory to the town of Westport to enable said town to take stock in a railroad,

Beg leave to report the same back and recommend the following amendment thereto:

Amend by inserting after the words "of such subscription," and before the words "said tax," the words "and for no other purpose," in section one of said act,

And with this amendment recommend that the bill do pass.
Which was read.

House bill No. 460, entitled

An act attaching certain territory to the town of Westport to enable said town to take stock in a railroad,

Was taken up.

The amendment recommended by the committee was agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Aner, Ballard, Bass, Beltrami, Bennett, Bittering, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, George, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McAllister, McPike, Miller, Ming, Moore of Stone, Mullings, Murphy, Myers, Neal, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sharp, Shields, Smith, Steele, Stone, Thomas, Van Roden, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—90.

NOES—Mr. Sanford—1.

Absent—Messrs. Alsup, Barnes, Barrett, Bell, Bohn, Borg, Breazeale, Butler, Clark, Dolman, Edens, Girdner, Goodson, Hooper, Hubbell, Kitchen, Koch, Leach, Marlin, Martin of Caldwell, McMillan, Mitchell, Mortell, Murray, Newman, Pauley, Pope, Schooley, Scoville, Shafer, Sloan, Sorrell, Stancil, Squires, Turner, Von Kochtitzky and Walker—38.

Absent with leave—Messrs. Burrows, Chilton, Leeper and Sides—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—1.

Senate bill No. 106, entitled

An act to amend chapter sixty-three of the General Statutes, entitled "of railroad companies," by adding certain sections thereto,

Was taken up.

The following amendments recommended by the Committee on Internal Improvements:

Amend section one by striking out all after the words "common stock of such company" and insert as follows:

"Said preferred stock shall be offered to all the common stockholders pro rata in proportion to the amount of common stock held by them. If any common stockholder shall fail to take such preferred stock after thirty days' notice by publication in two daily newspapers in St. Louis and written notice to clerks of counties holding stock, then any other person may buy said stock."

Amend by adding to section three the following :

Provided that nothing in this section shall be so construed as to permit the reduction of the capital stock of any company below the minimum amount prescribed in the first section of chapter sixty three of the General Statutes, 1865 ;

Which were read and agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Ballard, Bass, Beltrami, Bennett, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Crockett, Davis, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hickman, Hooper, Howell, Hubbell, Kitchen, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Leeper, Logan, Marshall, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Murphy, Myers, Neal, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Richardson, Robinson, Rolston, Sharp, Shields, Smith, Sorrell, Stancil, Steele, Stone, Squires, Turner, Van Roden, Wielandy, Wilkes, Williams of Audrain, Worden and Mr. Speaker—92.

NOES—Messrs. Von Kochtitzky and Williams of Morgan—2.

Absent—Messrs. Abbee, Asher, Auer, Barnes, Barrett, Bell, Bohn, Borg, Breazeale, Butler, Collier, Dean, Fassen, George, Hardin, Harmon, Hutt, Marlin, Martin of Caldwell, McAllister, Mitchell, Mortell, Murray, Newman, Norris, Raney, Ray, Samuel, Sanford, Schooley, Scoville, Shafer, Sloan, Thomas, Walker, White of Texas and Wight of Vernon—57.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

The title was read and agreed to.

Mr. Moore of Livingston, moved to reconsider the vote by which the bill passed, and to lay that motion on the table ;
Which was agreed to.

Mr. Stone, from the Committee of the St. Louis Delegation, submitted the following report :

MR. SPEAKER : The Committee on Internal Improvement, to whom was referred

House bill No. 440,

An act to authorize the Hannibal and St. Joseph Railroad Company to construct a branch of its road from a point on the main line thereof at or near Monroe City, by way of St. Charles to the city of St. Louis, and to aid other companies to construct their railroads.

Have had the same under consideration, respectfully offer a substitute to said bill, and recommend the same do pass ;

Which was read.

House bill No. 440, entitled

An act to authorize the Hannibal and St. Joseph railroad company to construct a branch of its road from a point on its main line thereof at or east of Monroe City, by way of St. Charles to the city of St. Louis, and to aid other companies to construct their railroads,

Was taken up, together with the substitute recommended by the committee;

Which was read and laid over informally.

On motion of Mr. Mullings,

The House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed the following entitled House bills:

House bill No. 15, entitled

An act to establish a probate court in St. Francois county;

House bill No. 26, entitled

An act to provide for the payment of the special taxes assessed against the lands of the Missouri Institution for the Education of the Blind in the city of St. Louis in conformity to the laws and ordinances concerning the improvement of streets and alleys in the city;

House bill No. 101, entitled

An act to appropriate money for the benefit of the State Board of Agriculture and State Horticultural Society;

House bill No. 388, entitled

An act to amend sections one and two of an act changing the time of holding the circuit court of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the twelfth judicial circuit, and granting to said counties an additional term, and to provide for the payment by said counties of compensation to the judge of the twelfth judicial circuit, in addition to his present salary;

House bill No. 389, entitled

An act authorizing the sale of military arms, equipments, accoutrements and ammunition, belonging to the State of Missouri, and to regulate the same;

House bill No. 445, entitled

An act to separate the county of Worth from the seventeenth ju-

dicial circuit, and to attach the same to the twelfth judicial circuit of this State, and to fix the times for holding circuit courts of said county; and

House bill No. 470, entitled

An act to establish a probate court in Saline county.

Also, that the Senate has passed, with amendments, the following entitled House bills:

House bill No. 288, entitled

An act to amend the charter of the town of Canton, and to consolidate the several acts relating thereto; and,

House bill No. 387, entitled

An act changing the time of holding the circuit court of the county of Buchanan, in the twelfth judicial circuit,

Also, the Senate has passed

Senate bill No. 79, entitled

An act to establish a board of guardians for the supervision of public, charitable, reformatory and penal institutions, and prescribing its duties; and,

Senate bill No. 81, entitled

An act establishing a county court in Ozark county, abolishing the county court justices, as provided by General Statutes.

In which the concurrence of the House is respectfully requested.

Also, the President of the Senate has appointed on the part of the Senate, as members of the joint committee, raised in compliance with Senate concurrent resolution No. 26, Senators Brockmeyer and Gottschalk;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that

Senate bill No. 118, entitled

An act to provide for paying the salary of the commissioner of statistics for the year 1867,

Has been presented to the Governor for his signature; also

Senate bill No. 201, entitled

An act to appropriate money to cover deficiencies in the appropriations for the years 1869 and 1870.

Which was read.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that there have been presented to the Governor for his signature bills of the following titles:

Senate bill No. 165, entitled

An act to appropriate money for the benefit of the State Deaf and Dumb Asylum.

Senate bill No. 156, entitled

An act to appropriate money for building additions to and otherwise enlarging and improving the Missouri Institution for the Education of the Blind.

Which was read.

Mr. Knott offered the following resolution:

Resolved, That the Committee on Accounts be instructed to audit the account of G. W. Hammett, deceased, late a member of this House, to the day of adjournment of this session, and that the State Auditor be authorized to deliver the warrant for the same to H. Williams, member from Audrain county;

Which was read and adopted.

Mr. Mortell offered the following resolution :

Resolved, That the Committee on Accounts be authorized to allow the account of the St. Louis Evening Dispatch for 9,280 copies of that paper, at five (5) cents per copy, furnished to members during the regular session of the 26th General Assembly;

Which was read and adopted.

Mr. Barrett rose to a question of privilege, which he proceeded to state, and in connection with which he submitted the following report from the Committee on Printing:

MR. SPEAKER: Your Committee on Printing, to whom was referred the several resolutions of inquiry introduced by Mr. Samuel of Callaway, concerning the printing of the report of the Superintendent of Public Schools, beg leave to report:

That they have given the matter due consideration, and find by reference to House journal of January 31, 1871, that six thousand copies of said report with accompanying documents were ordered by the House—five thousand to be printed in English and one thousand in German. By resolution of the Senate three thousand copies were also ordered. On inquiry at the proper department we find that “the accompanying documents” included all the tabular statistics and other matter, except the reports of State institutions, which the law requires to be published with the superintendent’s report. The only matter not included or specified above is found in the appendix of thirteen pages, containing valuable information concerning school lands, etc.

In the matter of charging full rates for pages part blank, your committee find that it is in accordance with common usage, as it requires the same labor to arrange and justify the matter on a half page as on a full page, and the bill rendered appears to conform to common usage and existing law.

The printing referred to comes under the provisions of section fourteen, and the binding is provided for in section nineteen of the law of 1855, with the reduction of twenty per cent. required by the law of 1870. The first section above named allows a charge for composition on every hundred copies, thus in the case before us paying for composition no less than seventy times, and though at apparently low rates, really amounting to \$5 12 per thousand ems. This was the wrong sought to be corrected by the Committee on Printing in the House bill introduced at the present session. By the provisions of section fourteen of that bill, as introduced and recommended by your committee, the entire cost of printing 8,000 reports, including 1,000 in German, would not have exceeded \$9,000, and even that might have been materially reduced had the work been done under the direction of the committee entitled to control it. It will be remembered that by the action of the House section fourteen was remodeled on the basis of the old law with a reduction of forty per cent. thereon. The work before us on that basis would have cost \$13,457 17, whilst the bill now rendered is \$17,942 90.

In this view of the case your committee are called upon to render the bootless service of "locking the stable door after the horse has been stolen," and therefore respectfully ask to be discharged from further consideration of the subject.

Which was read.

Mr. Richardson offered the following resolution :

Resolved, That the Committee on Accounts be authorized and instructed to audit the account of J. B. McHenry, present night watchman, in accordance with the report of said committee fixing the salary of clerks and employes of this House;

• Which was read and adopted.

Mr. Randall presented a memorial from citizens of Buchanan county indorsing the provisions of House bill No. 157, and asking its passage;

Which was read.

Mr. Marshall introduced the following resolution :

WHEREAS, Every consideration of public duty demands immediate and effective retrenchment in the expenditure of public moneys; therefore, be it

Resolved, That as an item in that direction, the terms of service of all the appointed clerks and employes of this House expire with the adjournment of this House on Monday next, and that the Committee on Retrenchment and Reform be allowed until the first day of the adjourned session hereof in December next, to report to this House the number, class and pay of all appointive clerks and employes necessary to transact the business of said adjourned session, as also a general bill;

Which was read.

Mr. Moore from Livingston, moved to lay the resolution on the table.

Messrs. Mullings and Neal demanded the ayes and noes.

The motion to lay the resolution of Mr. Marshall on the table, was agreed to by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Asher, Auer, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Breazeale, Brown of Monroe, Bulkley, Cloud, Colcord, Collier, Davis, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Howell, Hutt, Kitchen, Knott, Lamson, Langston, Logan, Martin, of St. Louis, Maupin, Mabrey, McPike, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Neal, Newman, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Ray, Richardson, Samuel, Scoville, Sharp, Shields, Stancil, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Walker and Wielandy—73.

NOES—Messrs. Abbee, Adams of Gentry, Ballard, Barrett, Bass Bosbyshell, Bradshaw, Brown of Howard, Buckham, Buller, Burton, Clark, Coleman, Crockett, Dean, Dent, Dod, Gates, Hooper, Hubbell, Kost, Latshaw, Leeper, Marshall, Martin of Caldwell, Miller, Ming, Mullings, Myers, Norris, O'Bannan of Dallas, Price, Robinson, Rolston, Sanford, Smith, Turner, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Worden—42.

Absent—Messrs. Alsop, Barnes, Butler, Claiborne, George, Koch, Leach, Marlin, McAllister, McMillan, Raney, Schooley, Shafer, Sides, Sloan and Sorrell—15.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined bills of the following titles, and find them correctly enrolled:

House bill No. 42, entitled

An act to amend chapter sixty-three of the General Statutes "of railroad companies," by adding certain sections thereto;

House bill No. 220, entitled

An act to amend an act entitled an act to incorporate the German school in Hermann, Gasconade county, Missouri, approved March 10, 1849, approved February 25, 1870;

Senate substitute for House bill No. 299, entitled

An act to re-organize the county court of St. Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justice shall be severally elected, and to change the term of office, and the time for electing said justices;

House bill No. 291, entitled

An act to amend an act, approved March 10, 1839, entitled an act to provide for the re-organization of the St. Louis circuit court, and regulate the proceedings therein, approved December 19, 1865;

House bill No. 327, entitled

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty-six of the General Statutes entitled "of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit," approved March 22, 1870, (the same being section forty-four of article four of chapter forty-one of Wagner's Statutes), and to repeal sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit;

House bill No. 331, entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri;

Senate substitute for House bill No. 363, entitled

An act to provide for the election of county treasurer and judge of the St. Louis criminal court in the county of St. Louis, and to provide for the deposit of the public funds;

House bill No. 483, entitled

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interests which have been improperly diverted from their objects and purposes, and to employ counsel, and compensate them for prosecuting such proceedings, approved March 22, 1870;

House bill No. 489, entitled

An act changing the time of holding circuit court in the counties of the fifth judicial circuit, and granting to the counties of Olney, Clinton and Platte in said circuit, three terms of said court annually, and to provide for the payment by said counties of a compensation to the judge of said circuit in addition to his present salary;

House bill No. 181, entitled

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857;

Which was read.

House bill No. 373, entitled

An act in relation to the collection of special tax bills in the city of St. Louis issued for street and alley work, and for constructing district sewers,

Was taken up,

The amendment recommended by the Senate was concurred in.

Senate bill No. 69, entitled

An act to amend chapter thirty-seven, article three, Wagner's Statutes, being chapter sixty-four of the General Statutes of the State of Missouri, to enable counties to aid in building graded, gravel, macadamized and plank roads,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Alsup, Applegate, Auer, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Dolman, Edens, Edwards, Frost, Gates, Girdner, Gray, Haas, Hardin, Hickman, Howell, Kitchen, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pauley, Raney, Richardson, Robinson, Samuel, Schooley, Scoville, Sharp, Steele, Sloan, Smith, Stancil, Shields, Stone, Thomas, Turner, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain and Worden—83.

NOES—Messrs. Abbee, Adams of Gentry, Ballard, Buller, Dean, Dent, Dod, Eubanks, Harmon, Hutt, Leeper, Marshall, O'Bannon of Dallas, O'Bannon of Pettis, Pope, Price, Ray, Rolston, Sanford and Williams of Morgan—20.

Absent—Messrs. Asher, Barnes, Beltrami, Borg, Breazeale, Butler, Dolle, Fassen, George, Goodson, Hackman, Hooper, Hubbell, Knott, Koch, Leach, Marlin, Martin of St. Louis, McAllister, Randall, Shafer, Sorrell, Squires, Van Roden, Walker and Mr. Speaker—26.

Absent with leave—Messrs. Barrett, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title of the bill was then read and agreed to.

Mr. Richardson, from the Committee on Claims, submitted the following report:

MR. SPEAKER: The Committee on Claims to whom was referred House bill No. 418,

Have had the same under consideration and have instructed me to report the same back with an amendment, and recommend that it do pass;

Which was read.

House bill No. 418, entitled

An act for the relief of Henry Mitchell, of Pulaski county, Missouri.

Was taken up,

On motion, the rules were suspended, the bill read the third time, as amended, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Gentry, Adams of Butler, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Beltrami, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Moore of Stone, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shields, Sloan, Smith, Stancil, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—113.

NOES—None.

Absent—Messrs. Asher, Barnes, Bradshaw, Claiborne, Fassen, Koch, Leach, Leeper, Marlin, Marshall, McAllister, Mitchell, Shafer, Sides, Sorrell and Walker—16.

Absent with leave—Messrs. Bunch, Burrows, Butler, Chilton and George—5.

Sick—Messrs. Gratiot, Shewalter, and White of Texas—3.

The title was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

The following message was received from the Senate, by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House.

of Representatives that the Senate has taken up and passed with amendments

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, A. D. 1870; In which the concurrence of the House is respectfully requested. Which was read.

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, 1870, Was taken up, and Senate amendments concurred in.

The Speaker appointed Messrs Stone, Pope and Bosbyshell on the joint committee on the St. Louis consolidation bill, in pursuance of Senate concurrent resolution No. 36.

The following message was received from the Senate, by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 211, entitled

An act to establish a probate court in Stone county;

House bill No. 234, entitled

An act to amend an act entitled an act to incorporate the city of Springfield and more fully define its powers, approved December 13, 1855, and to repeal an act amendatory thereof, approved March 23, 1868, and to revise section one of article four, and sections one, two, three, four, five, six, seven and eight, of article eight, of said first above recited act;

House bill No. 240, entitled

An act to refund to the St. Vincent free school of St. Louis, two hundred and fifty-nine dollars and thirty cents;

House bill No. 357, entitled

An act to repeal an act entitled an act to amend chapter fifty-five of the General Statutes of Missouri, approved February 27, 1868;

House bill No. 311, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof, in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870.

House bill No. 490, entitled

An act to amend an act entitled an act to incorporate the city of Mexico, approved March 17, 1857.

House bill No. 460, entitled

An act attaching certain territory to the town of Westport to enable said town to take stock in a railroad.

House bill No. 424, entitled

An act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Stone, Barton, Lawrence, Wright, Nodaway, Chariton, Mississippi, New Madrid, Pemiscot, Christian, Johnson, *et al.*, define their jurisdiction, and provide for the election of judge of probate, approved March 19, 1868, and to regulate the fees of the DeKalb probate court;

Also, the Senate has taken up and passed, with amendments,

House bill No. 468, entitled

An act to change the time for holding courts in the ninth judicial circuit, and to amend section thirty-seven of chapter forty-one, article four of Wagner's Statutes of Missouri.

In which the concurrence of the House is respectfully requested.
Which was read.

House bill No. 222, entitled

An act to amend an act entitled an act to prevent the introduction into this State of Texas, Mexican or Indian cattle during certain seasons of the year, approved February 26, 1867,

Was taken up.

Mr. Pope offered the following amendment:

Amend by striking out the words "one dollar" and insert "five dollars;"

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Ballard, Barrett, Bell, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dean, Dent, Doak, Dod, Dolle, Edwards, Frost, Girdner, Goodson, Gray, Hackman, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Kitchen, Knott, Lamson, Latshaw, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Neal, Newman, Norris, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Richardson, Robinson, Samuel, Sanford, Scoville, Sharp, Shields, Stancil, Steele, Thomas, Van Roden, Von Kochtitzky, Wilkes, Williams of Morgan, Worden and Mr. Speaker—89.

NOES—Messrs. Bass, Brown of Monroe, Edens, Eubanks, Gates, Langston and Wight of Vernon—7.

Absent—Messrs. Auer, Barnes, Beltrami, Bennett, Borg, Buckingham, Burrows, Butler, Chilton, Colcord, Dolman, Fassen, George, Howell, Koch, Kost, Leach, Marlin, McAllister, Mortell, Murphy, Murray, Myers, Rolston, Schooley, Shafer, Sloan, Smith, Sorrell, Stone, Squires, Turner, Walker, Wielandy, White of Texas and Williams of Audrain—36.

Absent with leave—Messrs. Leeper and Sides—2.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

The title was read and agreed to.

Mr Stone, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred

House bill No. 64, entitled

An act to provide for railroad commissioners and defining their duties,

Have had the same under consideration, respectfully submit a substitute and recommend it do pass;

Which was read.

House bill No. 364, entitled

An act to provide for railroad commissioners and defining their duties,

Was taken up, together with the substitute recommended by the committee;

Which was read.

Mr. Stone moved to refer the bill and substitute to a special committee, consisting of Messrs. Brown of Howard, Hutt, Leeper and Neal, to report at the adjourned session;

Which was agreed to.

Mr. Thomas submitted the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Senate bill No. 99, entitled

An act to amend sections one and seven of chapter twenty-three of the General Statutes, being sections one and seven of chapter one hundred and one of Wagner's Statutes, and entitled "of notaries public,"

Have had the same under consideration and have instructed me to report it back to the House with recommendations that it do pass.

Which was read.

Senate bill No. 99, entitled

An act to amend sections one and seven of chapter twenty-three of the General Statutes, being sections one and seven of chapter one hundred and one of Wagner's Statutes, and entitled "of notaries public,"

Was taken up.

Mr. Moore of Livingston offered the following amendment:

Amend section one by striking out all in first section after the words "five thousand inhabitants;"

Which was read.

Mr. Latshaw moved to lay the amendment on the table.

Mr. Mortell offered the following resolution:

WHEREAS, This 17th day of March being the birthday of St. Patrick, the great Apostle of Irish civilization and liberty, that is consecrated and kept holy by the Irish people and their descendants, and to attest our sense of respect to them and to the memory of the great Irish saint; therefore be it

Resolved, That this House do now adjourn to 7½ o'clock this evening;

Which was adopted, and the Speaker declared the House adjourned until 7½ o'clock, P. M.

NIGHT SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Mr. Latshaw withdrew his motion to lay Mr. Moore's of Livingston amendment on the table, pending at the afternoon adjournment.

Mr. Moore of Livingston withdrew his amendment.

Mr. Shields offered the following amendment:

Amend section one by inserting after "less than sixty" the words "and more than twenty thousand inhabitants;"

Which was read and agreed to.

Mr. McMillan offered the following amendment:

Amend section two by striking out "ten thousand" and inserting "five thousand;"

Which was read and agreed to.

Mr. Bell offered the following amendment:

Amend by inserting "two thousand,"

Which was read.

Mr. Martin of St. Louis moved to reject;

Which was agreed to.

Mr. Pope offered the following amendment:

Amend section one by striking out the words "five thousand" and insert "three thousand;"

Which was read and agreed to.

Mr. Davis offered the following amendment:

Amend by adding at the end of Sec. —: *provided*, this act shall not apply to any county in this State except St. Louis county;

Which was read, and

On motion of Mr. Bittering, was rejected.

Mr. Adams of Butler moved that further debate on this bill be now closed.

Which was agreed to.

On motion of Mr. Leeper,

The bill was considered engrossed, read the third time, and failed to pass by the following vote:

AYES—Messrs. Abbee, Auer, Bennett, Bittering, Bosbyshell, Breazeale, Buckham, Buller, Claiborne, Clark, Cloud, Colcord, Coleman, Crockett, Doak, Dod, Dolle, Gates, Goodson, Gray, Hackman, Hooper, Hubbell, Kitchen, Koch, Logan, Martin of St. Louis, McMillan, Miller, Ming, Mitchell, Mortell, Mullings, Murphy, O'Bannon of Pettis, Pope, Randall, Sanford, Shields, Thomas, Van Roden, Wielandy, Williams of Audrain and Mr. Speaker—44.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Alsop, Applegate, Asher, Ballard, Bass, Bell, Beltrami, Bohn, Borg, Bradshaw, Brown of Howard, Burton, Collier, Davis, Dean, Dolman, Edwards, Fassen, Frost, Girdner, Haas, Hardin, Harmon, Hickman, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Leeper, Marshall, Martin of Caldwell, Maupin, Mabrey, McPike, Moore of Livingston,

Moore of Stone, Murray, Myers, Neal, Newman, Norris, Pauley, Richardson, Robinson, Rolston, Samuel, Schooley, Scoville, Shafer, Sloan, Stancil, Stone, Turner and Wilkes—59.

Absent—Messrs. Barnes, Barrett, Brown of Monroe, Buckley, Dent, Edens, Eubanks, George, Howell, Leach, McAllister, O'Bannon of Dallas, Price, Raney, Ray, Sharp, Sides, Smith, Sorrell, Steele, Squires,, Von Kochtitzky, Walker, Wight of Vernon, Williams of Morgan and Worden—26.

Absent with leave—Messrs. Bunch, Burrows, Butler, Chilton and Marlin—5.

Sick—Messrs. Gratiot, Shewalter, and White of Texas—8.

Mr. Knott moved to reconsider the vote by which the bill failed to pass.

Mr. Moore of Livingston demanded the ayes and noes.

The motion to reconsider was agreed to by the following vote:

AYES—Messrs. Abbee, Auer, Bell, Bittinger, Bohn, Bosbyshell, Buckham, Butler, Claiborne, Clark, Colcord, Coleman, Collier, Crockett, Doak, Dolle, Dolman, Edens, Edwards, George, Goodson, Gray, Haas, Hackman, Hickman, Hooper, Kitchen, Knott, Martin of St. Louis, Maupin, Mabrey, McAllister, McMillan, Ming, Mitchell, Moore of Stone, Mullings, Murphy, Murray, Neal, Norris, O'Bannon of Pettis, Pope, Price, Raney, Randall, Sanford, Shewalter, Steele, Squires, Van Roden, Wight of Vernon and Mr. Speaker—53.

NOES—Messrs. Abington, Adams of Butler, Adams of Gentry, Applegate, Asher, Ballard, Bass, Beltrami, Bennett, Borg, Bradshaw, Brown of Howard, Buckley, Burton, Davis, Dent, Fassen, Frost, Gates, Girdner, Hardin, Harmon, Hubbell, Hutt, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Miller, Moore of Livingston, Newman, Pauley, Richardson, Robinson, Rolston, Samuel, Shafer, Sharp, Sloan, Smith, Thomas, Turner, Walker and Wilkes—50.

Absent—Messrs. Alsup, Barnes, Barrett, Breazeale, Brown of Monroe, Buller, Cloud, Dean, Dod, Eubanks, Howell, Leach, McPike, Mortell, Myers, O'Bannon of Dallas, Ray, Schooley, Scoville, Shields, Sorrell, Stancil, Stone, Von Kochtitzky, Wielandy, Williams of Audrain, Williams of Morgan and Worden—28.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, and White of Texas—3.

Mr. Pope offered the following amendment:

Amend to strike out the word "each" in the fourth line, and insert "St. Louis;"

And further, by striking out all after the word "provided" in the sixth line, down to and including the word "census" in eighth line;

And by striking out all of section one after the word "inhabitants" in the eleventh line;

And strike out all of the second section down to the word "every;"

Which were read, and bill and amendment laid over informally.

Mr. Mitchell, of the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

House bill No. 396,

Beg leave to report that they have had the same under consideration and recommend the same do pass;

Which was read.

House bill No. 396, entitled

An act to amend an act entitled an act to enable cities and incorporated towns to fund their respective debts, approved March 24, 1868;

Was taken up.

Mr. Stone offered the following amendment to section one:

"Except the City of St. Louis;"

Was read and agreed to.

Mr. Goodson offered the following amendment:

Add an additional section: This act shall not apply to Macon, Christian or Douglas counties;

Which was read.

Mr. Abbee moved to reject the amendment offered by Mr. Goodson;

Which was agreed to.

Mr. Buller offered the following amendment:

Amend by adding to section one the following:

"Provided that a register showing the number, date, amount and rate of interest, of all such lands shall be kept in the office of the clerk of such county, city or town, open to public inspection;"

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Adams of Gen-try, Alsup, Applegate, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Doak, Dod, Dolle, Edens, Edwards, Fassen, Frost, Gates, Girdner, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hooper, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Mabrey, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Mullings, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Shields, Steele, Stone, Squires, Thomas, Turner, Van Roden, Walker, Wight of Vernon, Wilkes and Mr. Speaker—90.

NOES—Messrs. Breazeale, Goodson and Miller—3.

Absent—Messrs. Asher, Barnes, Beltrami, Bradshaw, Buckham, Bulkley, Coleman, Dean, Dent, Dolman, Eubanks, Howell, Hubbell,

Kitchen, Leach, Martin of St. Louis, Maupin, McAllister, Moore of Stone, Mortell, Murphy, O'Bannan of Dallas, Raney, Ray, Schooley, Sides, Sloan, Smith, Sorrell, Stancil, Von Kochtitzky, Wielandy, White of Texas, Williams of Audrain, Williams of Morgan and Worden—36.

Absent with leave—Messrs. Bunch, Burrows, Butler, Chilton, George and Marlin—6.

Sick—Messrs. Gratiot and Shewalter—2.

The title was read and agreed to.

Mr. Mitchell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Bass called up

Senate bill No. 211, entitled

An act amending section eight, chapter fifty-six, General Statutes, in relation to lunatic asylums,
And withdrew substitute therefor.

On motion the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Alsup, Asher, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Burton, Clark, Cloud, Colcord, Collier, Crockett, Davis, Doak, Dolle, Edens, Edwards, Fassen, Frost, Gates, Gray, Hackman, Hardin, Harmon, Hickman, Hooper, Hubbell, Hutt, Kitchen, Knott, Koch, Kost, Lamson, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, McPike, Ming, Mitchell, Mullings, Murray, Myers, Neal, Newman, Pauley, Pope, Price, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Steele, Stone, Squires, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon and Mr. Speaker—75.

NOES—Messrs. Abbee, Applegate, Auer, Dean, Girdner, Haas, Langston, Latshaw, Miller, Norris and Wilkes—11.

Absent—Messrs. Abington, Adams of Gentry, Ballard, Barnes, Beltrami, Bradshaw, Brown of Monroe, Buckham, Butler, Claiborne, Coleman, Dent, Dod, Dolman, Eubanks, George, Goodson, Howell, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, Moore of Livingston, Moore of Stone, Mortell, Murphy, O'Bannan of Dallas, O'Bannon of Pettis, Raney, Ray, Schooley, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Von Kochtitzky, Walker, White of Texas, Williams of Audrain, Williams of Morgan and Worden—45.

Absent with leave—Messrs. Bulkley, Buller, Bunch and Burrows—4.

Sick—Messrs. Gratiot and Shewalter—2.

Mr. Randall called up

House bill No. 295, entitled

An act to amend sections two, three and four of an act entitled an act in relation to certain records of Howard, Ray and Carroll counties, approved March 24, 1870,

On motion the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dolle, Edens, Edwards, Fassen, Frost, Gates, Girdner, Goodson, Gray, Hackman, Hardin, Hooper, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leeper, Logan, Marshall, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Livingston, Mullings, Murray, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Scoville, Shafer, Sharp, Shields, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes and Mr. Speaker—87.

NOES—None.

Absent—Messrs. Abington, Barnes, Bass, Beltrami, Borg, Brown of Monroe, Butler, Coleman, Dean, Dod, Dolman, Eubanks, George, Haas, Harmon, Hickman, Howell, Kitchen, Leach, Marlin, Maupin, McAllister, McPike, Moore of Stone, Mortell, Murphy, Myers, Neal, O'Bannon of Dallas, Randall, Ray, Samuel, Sanford, Schooley, Sloan, Smith, Sorrell, Stancil, Turner, Walker, Williams of Audrain, Williams of Morgan and Worden—48.

Absent with leave—Messrs. Burrows, Chilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

Mr. Bittinger called up

Senate bill No. 84, entitled

An act authorizing the formation of union depots and stations for railroads in cities of this State.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Cloud, Colcord, Collier, Crockett, Davis, Dean, Dent, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hickman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mullings, Murray, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Randall, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sharp, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, White of Texas, Wight of Vernon, Wilkes and Mr. Speaker—88.

NOES—None.

Absent—Messrs. Abington, Barnes, Beltrami, Bohn, Bradshaw, Brown of Monroe, Burrows, Burton, Claiborne, Clark, Coleman, Doak, Harmon, Hooper, Howell, Kitchen, Leach, Leeper, Marlin, Marshall, McAllister, McMillan, Moore of Stone, Mortell, Murphy, Myers, Neal, O'Bannon of Dallas, Raney, Ray, Schooley, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Turner, Walker, Williams of Audrain, Williams of Morgan and Worden—42.

Absent with leave—Messrs. Butler, Buller, Bunch, Chilton and George—5.

Sick—Messrs. Gratiot and Shewalter—2.

Mr. Adams of Butler called up

Senate bill No. 152, entitled

An act to repeal section ten of chapter ninety, General Statutes of Missouri, section five of article four of Wagner's Statutes :

On motion the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Burrows, Claiborne, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dolle, Edens, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hickman, Hooper, Hubbell, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, McAllister, Ming, Mitchell, Moore of Livingston, Mullings, Murray, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Richardson, Robinson, Rolston, Samuel, Sanford, Shafer, Sharp, Shields, Sides, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wilkes and Mr. Speaker—85.

NOES—None.

Absent—Messrs. Abington, Barnes, Beltrami, Bittinger, Borg, Brown of Monroe, Buller, Burton, Butler, Coleman, Dean, Dod, Dolman, Harmon, Howell, Hutt, Kitchen, Leach, Leeper, Marlin, Marshall, McAllister, McPike, Miller, Moore of Stone, Mortell, Murphy, Myers, Neal, Newman, O'Bannon of Dallas, Randall, Ray, Schooley, Scoville, Sloan, Smith, Sorrell, Stancil, Steele, Turner, Walker, White of Texas, Wight of Vernon, Williams of Audrain, Williams of Morgan and Worden—47.

Absent with leave—Messrs. Bunch, Chilton and George—3.

Sick—Messrs. Gratiot and Shewalter—2.

The title was read and agreed to.

Mr. Adams of Butler moved to reconsider the vote by which the bill passed, and lay his motion to reconsider on the table;
Which was agreed to.

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, 1870,
Was taken up.

The amendments recommended by the Senate were read and concurred in.

House bill No. 468, entitled

An act to amend sections thirty-seven, of chapter forty-one, article four, of Wagner's Statutes of Missouri;
Was taken up,
Senate amendment concurred in.

Senate bill No. 191, entitled

An act appropriating money for the use of the Lunatic Asylum,
Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Alsup, Asher, Auer, Ballard, Barrett, Bass, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Buckham, Bulkley, Buller, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dolle, Dolman, Edwards, Eubanks, Fassen, Frost, Gates, Goodson, Gray, Hackman, Hardin, Hubbell, Hutt, Knott, Koch, Lamson, Latshaw, Logan, Martin of St. Louis, Mabrey, McMillan, Ming, Mitchell, Moore of Livingston, Mullings, Myers, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Samuel, Sanford, Scoville, Shafer, Shields, Sloan, Steele, Stone, Squires, Thomas, Van Roden, Wielandy, White of Texas, Wight of Vernon, Worden and Mr. Speaker—76.

NOES—Messrs. Applegate, Breazeale, Kost, Langston, Miller and Wilkes—6.

Absent—Messrs. Abington, Barnes, Beltrami, Bell, Brown of Howard, Brown of Monroe, Butler, Claiborne, Clark, Coleman, Dean, Edens, George, Girdner, Haas, Harmon, Howell, Hooper, Kitchen, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Maupin, McAllister, McPike, Moore of Stone, Mortell, Murphy, Murray, Neal, O'Bannan of Dallas, Raney, Randall, Ray, Rolston, Schooley, Sharp, Smith, Sorrell, Stancil, Turner, Von Kochtitzky, Walker, Williams of Audrain and Williams of Morgan—47.

Absent with leave—Messrs. Burrows, Burton, Butler, Chilton and Sides—5.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

The title was read and agreed to.

Mr. Bass moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Mr. Brown of Howard offered the following resolution :

Resolved, That the order of business adopted this morning is amended so that hereafter nothing but House and Senate local bills shall be considered;

Which was read and not agreed to.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House concurrent resolution No. 39, entitled

To appoint committee to examine the books and accounts of the Lexington and St. Louis Railroad Company, and to send for persons and papers;

And that the President has appointed on said committee, on the part of the Senate, Senators Davis and Reed.

Which was read.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that there has been introduced into the Senate and passed that body

Substitute for Senate bill No. 89, entitled

An act to amend an act entitled an act to incorporate the St. Louis Joint Stock Agricultural Association, which association, on the 26th day of November, A. D. 1870, changed its corporate name to that of St. Louis Stock Yard Company, under the general session acts of 1865, page 28.

In which the concurrence of the House is respectfully requested.

Which was read.

Senate bill No. 154, entitled

An act to collect and arrange in one act the original charter of the town of Carrollton and the various amendments thereto so far as the same are now in force, and to amend the same,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, and read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Buckham, Buller, Olark, Cloud, Colcord, Collier, Crockett, Davis, Dent, Doak, Dod, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Hackman, Hardin, Hubbell, Hutt, Knott, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Livingston, Mullings, Newman, Norris, O'Bannon of Pettis, Pauley, Price, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Sloan, Steele, Stone, Thomas, Van Roden, Wielandy, Wight of Vernon, Worden and Mr. Speaker—73.

Absent—Messrs. Abington, Adams of Butler, Alsup, Barnes, Beltrami, Borg, Bradshaw, Brown of Monroe, Bulkley, Bunch, Burrows, Burton, Butler, Claiborne, Coleman, Dean, Dolle, Dolman, Edens, Gray, Haas, Harmon, Hickman, Hooper, Howell, Kitchen, Koch, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, McPike, Moore

of Stone, Mortell, Murphy, Murray, Myers, Neal, O'Bannon of Dallas, Pope, Raney, Randall, Ray, Schooley, Sharp, Sides, Smith, Sorrell, Stancil, Squires, Turner, Von Kochtitzky, White of Texas, Walker, Wilkes, Williams of Audrain and Williams of Morgan—60.

Absent with leave—Messrs. Chilton and George—2.

Sick—Messrs. Gratiot and Shewalter—2.

The title was read and agreed to.

Mr. Logan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;
Which was agreed to.

Senate bill No. 127, entitled

An act amendatory of an act entitled an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, and revised and amended by an act entitled an act to revise an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, approved March 26, 1845,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw, Breazeale, Buckham, Bulkley, Buller, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edwards, Frost, Gates, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, Ming, Moore of Livingston, Mullings, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Samuel, Sanford, Scoville, Shafer, Shields, Sides, Steele, Stone, Thomas, Turner, Van Roden, Wielandy, Wight of Vernon and Wilkes—80.

NCES—Messrs. Abington, Alsup, Barnes, Beltrami, Bohn, Brown of Howard, Brown of Monroe, Chilton, Claiborne, Coleman, Dent, Dolman, Edens, Eubanks, Fassen, Girdner, Hooper, Howell, Kitchen, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, McMillan, McPike, Mitchell, Moore of Stone, Mortell, Murphy, Murray, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Schooley, Sharp, Sloan, Smith, Sorrell, Stancil, Squires, Von Kochtitzky, Walker, White of Texas, Williams of Audrain, Williams of Morgan and Worden—50.

Absent with leave—Messrs. Bunch, Burrows, Burton, Butler and George—5.

Sick—Messrs. Gratiot and Shewalter—2.

Mr. Thomas offered the following resolution:

Resolved, That Christopher Klages, page of the Sergeant-at-Arms, be allowed the same compensation as the other pages of this House, to commence from the day when said page was employed by said Sergeant-at-Arms, and that the chairman of the Committee on

Accounts be and he is hereby instructed to audit the account of the said Christopher Klages;

Which was read and adopted.

Mr. Marshall, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your committee have had under consideration House bill No. 10,

And instruct me to report the same back with recommendation that the same do pass, with the accompanying amendment.

Which was read.

The following amendment recommended by the committee:

Amend bill by striking out the word "three" in the eighth line of the original bill and insert in lieu thereof the word "for;"

Which was read.

Mr. McMillan offered the following amendment:

Amend by striking out "four dollars" and inserting "five dollars;"

Which was read.

Mr. Knott moved to recommit the bill to the Committee on Retrenchment and Reform;

Which was read and agreed to.

Mr. Wielandy introduced a concurrent resolution, entitled
Concurrent resolution concerning the Agricultural Report and other printed documents;

Which was read the first time, the rules suspended, read the second time, rules further suspended, read the third time and passed.

House bill No. 148, entitled

An act to provide for the relinquishing to the United States lands erroneously patented to the State of Missouri,

Was taken up,

Mr. Buller offered the following amendment:

Amend section one by inserting after the word "shall" in the first line, the following, to wit: "before the 3d of March, 1857;"

Which was read and agreed to.

On motion, the rules were suspended, the bill read the third time and passed by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Auer, Bailard, Barrett, Bell, Bittinger, Bosbyshell, Brown of Howard, Buckingham, Bulkley, Buller, Claiborne, Cloud, Colcord, Collier, Crockett, Davis Doak, Dolman, Edwards, Eubanks, Frost, Gates, Goodson, Gray, Hackman, Hardin, Harmon, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Rolston, Samuel, Sanford, Scoville, Shafer, Shields, Sloan, Smith, Stancil, Steele, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes and Mr. Speaker—73.

NOES—None.

Absent—Messrs. Adams of Butler, Abington, Alsup, Barnes, Bass, Beltrami, Bennett, Bohn, Borg, Bradshaw, Breazeale, Brown of Mon

roe, Burton, Butler, Clark, Coleman, Dean, Dent, Dod, Dolle, Edens, Fassen, George, Girdner, Haas, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, McPike, Mortell, Murphy, Murray, Myers, Neal, O'Bannan of Dallas, Raney, Ray, Rolston, Sanford, Schooley, Sharp, Sorrell, Squires, Turner, Walker, Williams of Audrain, Williams of Morgan and Worden—57.

Absent with leave—Messrs. Burrows and Chilton—2.

Sick—Messrs. Bunch, Gratiot, Shewalter, Sides, and White of Texas—5.

The title was read and agreed to.

Mr. Buller moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table;

Which was agreed to.

Mr. Barrett offered the following resolution:

Resolved, That the Committee on Accounts be instructed to audit the accounts of the several members of the Committees on Lunatic and Blind Asylums for actual expenses incurred in visiting these institutions, on presentation of itemized accounts for the same;

Which was read and adopted.

Mr. Shafer, from the Committee on Education submitted the following report:

MR. SPEAKER: Your Committee on Education have had under consideration

House bill No. 480,

And have instructed me to report the bill back with the following amendment, and as amended recommend that the same do pass;

Which was read.

House bill No. 480 entitled

An act to amend an act entitled an act to aid in the establishment of Normal Schools, approved March 19, 1870,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bennett, Bittinger, Borg, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Cloud, Colcord, Collier, Crockett, Davis, Dolman, Edwards, Fassen, Frost, Gates, Goodson, Gray, Haas, Harmon, Koch, Kost, Lamson, Langston, Lashaw, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Moore of Livingston, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Shafer, Shields, Smith, Steele, Stone, Squires, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Worden and Mr. Speaker—71.

NOES—Mr. Newman—1.

Absent—Messrs. Abington, Alsup, Barnes, Bell, Beltrami, Bohn, Bosbyshell, Bradshaw, Brown of Monroe, Burton, Butler, Claiborne, Clark, Coleman, Dent, Dean, Doak, Dod, Dolle, Edens, Eubanks, George, Girdner, Hackman, Hardin, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Leach, Leeper, Logan, Marlin, Marshall, McAllister, Maupin, McPike, Mitchell, Mortell, Murphy, Murray, Myers, O'Bannan of Dallas, Raney, Randall, Ray, Schooley, Sharp, Sloan, Sorrell, Stancil, Turner, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—58.

Absent with leave—Messrs. Burrows, Chilton, Sides, and White of Texas—4.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Knott offered the following resolution :

Resolved, That the Chief Clerk be authorized to retain sufficient clerical force for not exceeding six days after adjournment, to enable him to close up the business of the session ;

Which was read and adopted.

Mr. Barrett called up

House bill No. 288, entitled

An act to amend the charter of the town of Canton and consolidate the several act relating thereto.

The following amendment recommended by the Senate :

Amend section ten by striking out in lines six and seven the words "and in case of riot to call out the militia ;"

Was read and concurred in.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER : Your Committee on Banks and Corporations, to whom was referred

House bill No. 326,

Beg leave to report that they have had the same under consideration, and recommend that it do pass ;

Which was read.

House bill No. 326, entitled

An act to amend section seventeen, chapter sixty-nine of the General Statutes of Missouri, being section seventeen of article seven of chapter thirty-seven of Wagner's Statutes, entitled "of manufacturing and business companies and of bridge companies,"

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote :

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Clark, Cloud, Colcord, Collier, Crockett, Davis, Doak, Edwards, Fassen, Frost, Gates, Haas, Hardin, Harmon, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, Miller, McMillan, Ming, Mitchell, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Richardson, Rolston, Samuel, Sanford,

Seoville, Shafer, Sides, Smith, Stone, Thomas, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Worden and Mr. Speaker—70.

NOES—None.

Absent—Messrs. Abington, Adams of Butler, Alsup, Beltrami, Barnes, Bohn, Bradshaw, Brown of Monroe, Bunch, Burrows, Burton, Butler, Claiborne, Coleman, Dean, Dent, Dod, Delman, Dolle, Edens, Eubanks, Girdner, Goodson, Gray, Hackman, Hickman, Hooper, Howell, Hubbell, Hutt, Kitchen, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, McPike, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, O'Bannan of Dallas, Pauley, Raney, Randall, Ray, Robinson, Schooley, Sharp, Shields, Sloan, Sorrell, Stancil, Steele, Squires, Turner, Walker, White of Texas, Williams of Audrain and Williams of Morgan—63.

Absent with leave—Messrs. Chilton and George—2.

Sick—Messrs. Gratiot and Shewalter—2.

The title was read and agreed to.

Mr. Asher moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Senate bill No. 81, entitled

An act establishing a county court in Ozark county, abolishing the county court justices, as provided by General Statutes,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Boshyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Doak, Edwards, Fassen, Gates, Goodson, Haas, Hardin, Harmon, Hickman, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Mullings, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Rolston, Samuel, Seoville, Shafer, Shields, Sloan, Smith, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Worden and Mr. Speaker—75.

Absent—Messrs. Abington, Alsup, Barnes, Beltrami, Bradshaw, Brown of Monroe, Burton, Butler, Claiborne, Clark, Dean, Dent, Dod, Dolle, Dolman, Edens, Eubanks, Frost, George, Girdner, Gray, Hackman, Hooper, Howell, Hubbell, Hutt, Kitchen, Leach, Marlin, Marshall, Martin of Caldwell, Maupin, McAllister, McPike, Mitchell, Moore of Livingston, Moore of Stone, Mortell, Murphy, Murray, Myers, O'Bannan of Dallas, Raney, Randall, Ray, Sanford, Schooley, Sharp, Sorrell, Stancil, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—54.

Absent with leave—Messrs. Burrows, Chilton, Leeper and Sides—4.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Stone moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Senate bill No. 89, entitled

An act to amend an act entitled an act to incorporate the St. Louis Joint Stock Agricultural Association, which association, on the twenty-sixth day of November, A. D. 1870, changed its corporate name to that of St. Louis Stockyard Company, under the General Session acts of 1865, page 28,

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bitteringer, Bohn, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Buller, Burrows, Clark, Cloud, Colcord, Collier, Crockett, Davis, Dod, Edwards, Fassen, Frost, Gates, Goodson, Haas, Hardin, Harmon, Hickman, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Leach, Logan, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey McMillan, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Rolston, Sanford, Scoville, Shafer, Sharp, Shields, Sloan, Smith, Steele, Stone, Squires, Turner, Van Roden, Von Kochtitzky, Wielandy, Wilkes, Worden and Mr. Speaker—82.

NOES—Mr. Dean—1.

Absent—Messrs. Abington, Alsup, Barnes, Beltrami, Borg, Bradshaw, Brown of Monroe, Buckham, Burton, Butler, Claiborne, Coleman, Dent, Doak, Dolle, Dolman, Edens, Eubanks, George, Girdner, Gray, Hackman, Hooper, Howell, Hubbell, Kitchen, Leeper, Marlin, Marshall, McAllister, McPike, Moore of Stone, Murphy, Murray, O'Bannon of Dallas, Raney, Randall, Ray, Robinson, Samuel, Schooley, Sorrell, Stancil, Thomas, Walker, Wight of Vernon, Williams of Audrain and Williams of Morgan—48.

Absent with leave—Messrs. Chilton and Sides—2.

Sick—Messrs. Bunch, Gratiot, Shewalter and White of Texas—4.

The title was read and agreed to.

Mr. Bosbyshell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table;

Which was agreed to.

Senate bill No. 79, entitled

An act to establish a board of guardians for the supervision of public, charitable, reformatory and penal institutions, and prescribing its duties,

Was taken up, read the first time, the rules suspended, read the second time, and laid over till adjourned session.

Mr. Mitchell, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred

Substitute for Senate bill No. 112,

Beq leave to report that they have the same under consideration and recommend that it do pass.

Which was read.

Senate bill No. 112, entitled

An act amendatory and supplementary to an act entitled an act to incorporate the Farmers' Male and Female Academy Association in the county of Newton, approved November 4, 1857,

Was taken up.

On motion, the rules were suspended, the bill read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barrett, Bass, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Cloud, Colcord, Collier, Crockett, Davis, Doak, Edwards, Fassen, Gates, Goodson, Haas, Hardin, Harmon, Hickman, Hooper, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Martin of Caldwell, Martin of St. Louis, Mabrey, McMillan, Miller, Ming, Mitchell, Moore of Livingston, Moore of Stone, Mullings, Myers, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Rolston, Samuel, Sanford, Scoville, Sharp, Shields, Smith, Steele, Stone, Squires, Thomas, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Worden and Mr. Speaker—81.

NOES—None.

Absent—Messrs. Abington, Alsup, Barnes, Beltrami, Bradshaw, Brown of Monroe, Claiborne, Clark, Coleman, Dean, Dent, Dod, Dolle, Dolman, Edens, Eubanks, Frost, George, Girdner, Gray, Hackman, Howell, Hubbell, Kitchen, Leach, Leeper, Marlin, Marshall, Maupin, McAllister, McPike, Mortell, Murphy, Murray, Newman, O'Bannon of Dallas, Raney, Randall, Ray, Schooley, Shafer, Sides, Sloan, Sorrell, Stancil, Walker, White of Texas, Williams of Morgan and Williams of Audrain—49.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Absent with leave—Messrs. Burrows, Burton, Butler and Chilton—4.

House bill No. 387, entitled

An act changing the time of holding the circuit court of the county of Buchanan in the twelfth judicial circuit,

Was taken up.

The following amendment recommended by the Senate:

Amend section one by striking out the word "second," in the eighth line, and insert the word "third" in lieu thereof,

Was read and concurred in.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have presented bills of the following titles to the Governor for his approval:

House bill No. 42, entitled

An act to amend chapter sixty-three of the General Statutes, "of railroad companies," by adding certain sections thereto.

House bill No. 220, entitled

An act to amend an act entitled an act to incorporate the German School in Hermann, Gasconade county, Missouri, approved March 10, 1849, approved February 25, 1870.

Substitute for House bill No. 299, entitled

An act to reorganize the county court of St. Louis county, and to create the office of presiding justice of said county, and to define the districts from which the presiding justice and the associate justices shall be severally elected, and to change the term of office and the time for electing the said justices.

House bill No. 291, entitled

An act to amend an act, approved March 10, 1869, entitled an act to provide for the reorganization of the St. Louis circuit court and regulate the proceedings therein, approved December 19, 1865.

House bill No. 327, entitled

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty six of the General Statutes entitled "of circuit courts," their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section forty-four of article four of chapter forty-one of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation of the judge of the sixteenth judicial circuit.

House bill No. 331, entitled

An act for the relief of the securities of James E. Parrott, late collector of Oregon county, Missouri.

Senate substitute for House bill No. 363, entitled

An act to provide for the election of county treasurer and judge of the St. Louis criminal court, in the county of St. Louis, and to provide for the deposit of the public funds.

House bill No. 483, entitled

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school lands or funds or other interests which have been improperly diverted from their objects and purposes, and to employ counsel and compensate them for prosecuting such proceedings, approved March 22, 1870.

House bill No. 489, entitled

An act changing the time of holding circuit court in the counties of the fifth judicial circuit, and granting to the counties of Clay, Clinton and Platte, in said circuit, three terms of said court annually, and to provide for the payment by said counties of a compensation to the judge of said circuit in addition to his present salary.

House bill No. 181, entitled

An act to amend sections seven and twelve of an act entitled an act to incorporate the Osage Valley and Southern Kansas Railroad Company, approved November 21, 1857.

Which was read.

On motion of Mr. Bass,
The House adjourned until to-morrow morning at 9 o'clock.

SATURDAY, MARCH 18, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by Rev. Dr. Goodson of the House.

The journal of yesterday was being read, when,
On motion of Mr. Bell,
The further reading of the journal was dispensed with.

The following message was received from the Senate by the Secretary, Mr. Hendrick :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 19,

An act to amend an act entitled an act to establish a court of common pleas in the county of Linn, approved March 12, 1867;

House bill No. 359, entitled

An act for the relief of the trustees of the Carthage Female Academy;

House bill No. 457

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859;

House bill No. 397,

An act to amend section four of article nine entitled of miscellaneous provisions of an act entitled an act to amend an act entitled an act to incorporate the town of Holden in Johnson county, approved January 28, 1870;

Also House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri, in her own right and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri (now the National Bank of the State of Missouri) to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said Auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the State Auditor to draw warrants in favor of the National Bank of the State of Missouri, and of James B. Eads, for certain monies due by the State,

and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

Which was read.

The following message from the Senate was received by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up and passed with amendments,

House bill No. 492,

An act to facilitate the collection of taxes for the year 1871;

And House bill No. 202, entitled

An act to confer additional civil jurisdiction on the mayor of the city of Waverly;

In which the concurrence of the House is respectfully requested.

Which was read.

The following message was received from the Senate by its Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives, that the Senate has taken up and passed with amendment,

House bill No. 182, entitled

An act to provide for a Bureau of Geology and Mines, to complete the Geological Survey of the State of Missouri,

In which the concurrence of the House is respectfully requested;

Which was read.

Mr. Bell offered the following resolution:

Resolved, That the Committee on Accounts be instructed to audit the accounts of the Kansas City Times and Jefferson City Tribune, for papers furnished this House. 120 copies of Kansas City Times per day, at five cents per copy, and 120 copies of Tribune at five cents each;

Which was read and agreed to.

Mr. Stone offered the following resolution:

WHEREAS, There is a large amount of clerical work yet to be done in order to complete the investigation of the affairs of the Enrolled Missouri Militia; therefore, be it

Resolved, That the committee of investigation, be and are hereby empowered to continue in their employ the clerk that has been employed by them until the clerical work is completed, with a view to report at the adjourned session a full and complete statement of the affairs of the Enrolled Missouri Militia as it may be found in the office of the Adjutant General;

Which was read.

Mr. Richardson offered the following substitute for Mr. Stone's resolution:

Resolved, That the copies made of unpaid claims by the committee, be returned back to the Adjutant General's office, that the further investigation be closed so far as copies be made of unpaid claims;

Which was read.

Messrs. Richardson and Koch demanding the ayes and noes.

The substitute was not agreed to, by the following vote:

AYES—Messrs. Adams of Gentry, Ballard, Brown of Monroe, Burton, Davis, Dolman, Eubanks, Fassen, Girdner, Hickman, Hubbell, Koch, Langston, Logan, Ming, Moore of Livingston, O'Bannon of Pettis, Richardson, Von Kochtitzky and Wilkes—20.

NOES—Messrs. Abbee, Adams of Butler, Applegate, Asher, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Bosbyshell, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Doak, Dod, Dolle, Edwards, Frost, Gates, Goodson, Gray, Haas, Hackman, Harmon, Kitchen, Kost, Lamson, Latshaw, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Mitchell, Mullings, Murphy, Murray, Myers, Newman, Norris, O'Bannon of Dallas, Pope, Price, Robinson, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Shields, Stone, Turner, Van Roden, Wielandy, Wight of Vernon, Williams of Morgan and Worden—69.

Absent—Messrs. Abington, Alsup, Auer, Beltrami, Bohn, Borg, Bradshaw, Butler, Dent, Edens, George, Hardin, Hooper, Howell, Hutt, Knott, Leach, Marlin, Marshall, Martin of Caldwell, McAllister, Moore of Stone, Mortell, Neal, Pauley, Raney, Randall, Ray, Shafer, Sloan, Smith, Sorrell, Stancil, Steele, Squires, Thomas, Walker, Williams of Audrain and Mr. Speaker—40.

Absent with leave—Messrs. Burrows, Chilton, Dean, Leeper, Sides and White of Texas—6.

Sick—Messrs. Bunch and Gratiot—2.

Mr. Stone's resolution was adopted.

House bill No. 492, entitled

• An act to facilitate the collection of taxes for the year 1871,
Was taken up.

The Senate amendment to the title was read and concurred in.

Mr. Wielandy offered the following resolution:

WHEREAS, On account of the disability of the Engrossing Clerk to perform the duties of his office, Wm. Fitz has been appointed by said Engrossing Clerk as his assistant, and has performed all the work of said office ever since the commencement of the present session, to the perfect satisfaction of this House; therefore,

Resolved, That said William Fitz be paid for his said services at the same rate as the other assistant clerks of this House, and that the chairman of the Committee on Accounts be, and he is hereby directed to audit the account of the said Fitz; said account to date back from the day when said Fitz has been actually employed as such assistant clerk;

Resolved, further, That John Bohrer, Wm. Langerhans, Michael Meller and John Watts, the laborers employed by the Doorkeeper of this House, be allowed one dollar per day additional for their night services, from the first day of February, 1871, and that the chairman of the Committee on Accounts be, and he is hereby directed to allow the said additional pay when he audits the accounts of the said Bohrer, Langerhans, Meller and Watts;

Which was read and adopted.

House bill No. 182, entitled

An act to provide for a Bureau of Geology and Mines to complete the Geological survey of the State of Missouri,

Was taken up.

The following amendment recommended by the Senate:

Amend by striking out line two, section two, and the words "and said" from line third and insert "the present,"

Was read and concurred in.

Mr. Myers offered the following resolution:

Resolved, That for extra services rendered the Twenty-sixth General Assembly, the Chief Clerk receive, as additional compensation, the sum of five dollars per day, and that the Assistant Chief Clerk receive, as additional compensation, the sum of two dollars per day;

Which was read and adopted by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Applegate, Asher, Bell, Beltrami, Bennett, Bittinger, Bohn, Bosbyshell, Brown of Howard, Claiborne, Clark, Cloud, Colcord, Collier, Davis, Dent, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, Goodson, Haas, Hackman, Hardin, Harmon, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of Caldwell, Mabrey, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Moore of Stone, Murphy, Murray, Myers, Neal, Newman, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Samuel, Scoville, Shewalter, Shields, Steele, Stone, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Audrain, Worden and Mr. Speaker—66.

NOES—Messrs. Barnes, Barrett, Bradshaw, Bulkley, Buller, Burton, Crockett, Fassen, Gates, Girdner, Gray, Hubbell, Koch, Miller, Mullings, Norris, Robinson, Sanford, Van Roden, Wilkes and Williams of Morgan—19.

Absent—Messrs. Adams of Gentry, Alsup, Auer, Ballard, Bass, Borg, Breazeale, Brown of Monroe, Buckham, Butler, Coleman, Dean, Doak, Edens, George, Hickman, Hooper, Howell, Hutt, Kitchen, Knott, Leach, Marlin, Martin of St. Louis, Maupin, McAllister, Mortell, O'Bannon of Dallas, Ray, Rolston, Schooley, Shafer, Sharp, Sloan, Smith, Stancil, Sorrell, Squires, Turner and Walker—40.

Absent with leave—Messrs. Burrows, Chilton, Leeper, Raney, Randall, Sides, Thomas and White of Texas—8.

Sick—Messrs. Bunch and Gratiot—2.

Mr. Asher offered the following amendment:

And that the Chief Clerk is hereby authorized to retain the clerical force of the House for four days after adjournment in addition to the six days allowed by previous resolution;

Which was read and adopted by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Bell, Bennett, Bittinger, Bohn, Breazeale

Brown of Howard, Olaiborne, Olark, Oloud, Colcord, Collier, Davis, Dolle, Dolman, Eubanks, Frost, Goodson, Gray, Haas, Hardin, Harmon, Mabrey, McMillan, McPike, Moore of Livingston, Murphy, Myers, Neal, Newman, O'Bannon of Pettis, Pauley, Pope, Scoville, Shewalter, Shields, Stone, Squires, Wielandy, Martin of St. Louis, and Mr. Speaker—46.

NOES—Messrs. Barnes, Barrett, Bosbyshell, Bradshaw, Bulkley, Buller, Burton, Coleman, Crockett, Edwards, Fassen, Gates, Girdner, Hubbell, Koch, Kost, Lamson, Latshaw, Miller, Ming, Mitchell, Mullings, Murray, Norris, Richardson, Robinson, Samuel, Sanford, Smith, Steele, Turner, Van Roden, Wight of Vernon, Wilkes, Williams of Morgan and Worden—36.

Absent—Messrs. Abington, Alsup, Ballard, Bass, Beltrami, Borg, Brown of Monroe, Bunch, Burrows, Butler, Dean, Dent, Doak, Dod, Edens, George, Hackman, Hickman, Hooper, Howell, Hutt, Kitchen, Knott, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Maupin, McAllister, Moore of Stone, Mortell, O'Bannon of Dallas, Price, Raney, Randall, Ray, Rolston, Schooley, Shafer, Sharp, Sides, Sloan, Sorrell, Stancil, Thomas, VonKochtitzky, Walker, White of Texas and Williams of Audrain—55.

Absent with leave—Mr. Chilton—1.

Sick—Mr. Gratiot—1.

Mr. Davis offered the following resolution:

Resolved, That J. T. Pratt, Minute Clerk of this House, be allowed, for extra service, the same mileage that is allowed the elected clerks;

Which was read and adopted by the following vote:

AYES—Messrs. Abbee, Abington, Adams of Butler, Applegate, Asher, Barrett, Bell, Bennett, Bittinger, Bohn, Bradshaw, Brown of Howard, Bulkley, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Davis, Eubanks, Frost, Gates, Girdner, Gray, Haas, Hackman, Hardin, Harmon, Koch, Latshaw, Maupin, Mabrey, McAllister, McMillan, McPike, Ming, Mitchell, Moore of Livingston, Murphy, Murray, O'Bannon of Pettis, Pope, Price, Richardson, Sanford, Scoville, Shields, Steele, Stone, Squires, Van Roden, Williams of Audrain, Worden and Mr. Speaker—55.

NOES—Messrs. Barnes, Bulkley, Buller, Crockett, Dod, Hubbell, Kost, Lamson, Langston, Miller, Mullings, Norris, O'Bannon of Dallas, Robinson, Sanford, Wilkes and Williams of Morgan—16.

Absent—Messrs. Adams of Gentry, Alsup, Auer, Ballard, Bass, Beltrami, Borg, Bosbyshell, Breazeale, Brown of Monroe, Buckingham, Burrows, Butler, Chilton, Dean, Dent, Doak, Dolle, Dolman, Edens, Edwards, Fassen, George, Goodson, Hickman, Hooper, Howell, Hutt, Kitchen, Knott, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Moore of Stone, Mortell, Myers, Neal, Newman, Pauley, Raney, Randall, Ray, Rolston,

Samuel, Schooley, Shafer, Sharp, Sides, Sloan, Smith, Sorrell, Stancil, Thomas, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas and Wight of Vernon—64.

Sick—Messrs. Bunch and Shewalter—2.

House bill No. 202, entitled
An act to confer additional civil jurisdiction on the mayor of the city of Waverly,
Was taken up, together with a substitute recommended by the Senate;
Which was read and concurred in.

Mr. Martin of St. Louis, of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that Senate bills of the following titles have been presented to the Governor for his signature:

No. 211, entitled

An act to amend section eight, chapter fifty-six, General Statutes, appropriating money for the support of the Lunatic Asylum.

No. 120, entitled

An act to amend an act entitled an act to incorporate the town of Ironton, approved February 1, 1859.

No. 1, entitled

An act creating a board of commissioners and appropriating money for the erection of an Executive Mansion.

No. 69,

An act amendatory of and supplementary to chapter thirty-seven, article three of the Statutes of the State of Missouri, etc.

No. 152, entitled

An act to repeal section ten of chapter, ninety, General Statutes of Missouri, being section five of article four of Wagner's Missouri Statutes.

No. 127,

An act entitled an act amendatory of an act entitled an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, and revised and amended by an act entitled an act to revise an act to incorporate the Meramec Canal and Navigation Company, approved February 12, 1839, approved March 26, 1845;

Which was read.

The following communication was received from his Excellency, Governor B. Gratz Brown, by his secretary, Mr. Judson:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 17, 1871. }

To the Honorable Speaker of the House of Representatives :

I have this day approved the following bills from the House :

An act to provide for the election of county treasurer and judge of St. Louis criminal court in the county of St. Louis, and to provide for the deposit of the public funds.

An act to amend chapter sixty-three of the General Statutes, entitled "of railroad companies," by adding certain sections thereto.

An act to amend an act entitled an act to authorize the State Board of Education to institute proceedings to recover any school

lands, funds, or other interests which have been improperly diverted from their objects and purposes, and to employ counsel and compensate them for prosecuting such proceedings.

An act to amend an act entitled an act to amend an act entitled an act to incorporate the German School of Hermann, Gasconade county, Missouri, approved March 10, 1849, approved February 25, 1870.

An act changing the times of holding circuit court in the counties of the fifth judicial circuit, and granting to the counties of Clay, Clinton and Platte, in said circuit, three terms of said court annually, and to provide for the payment by said counties of a compensation to the judge of said circuit in addition to his present salary.

An act to amend an act, approved March 10, 1869, entitled an act to amend an act to provide for the reorganization of the St. Louis circuit court, and regulate the proceedings therein, approved December 19, 1865.

An act to establish a probate court in Saline county.

An act to amend section forty-two of chapter one hundred and thirty-six of the General Statutes of Missouri, as amended by an act entitled an act to amend sections twenty-six and forty-two of chapter one hundred and thirty-six of the General Statutes, entitled "of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, (the same being section four hundred and forty of article four of chapter forty-one of Wagner's Statutes), and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit.

An act for the relief of the securities of James E. Parrott, late collector of Oregon county.

Respectfully,

B. GRATZ BROWN.

Which was read.

The Speaker laid before the House the following communication from the Chief Clerk:

MR. SPEAKER: I would respectfully urge upon chairmen of committees of the House the necessity of promptly reporting to me the bills in their hands in order that I may be able to close up the business of the department in the brief time allowed by this body.

Respectfully,
D. A. SUTTON, *Chief Clerk.*

March 18, 1871.

Which was read.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into the Senate and passed that body

Senate bill No. 13, entitled

An act to amend section forty-three, of chapter sixty-three, entitled of railroad companies, of title twenty-four, entitled "of private corporations," of the General Statutes of Missouri;

Also, Senate bill No. 204, entitled

An act to expedite the construction of a bridge across the Mississippi river at the city of Cape Girardeau;

In which the concurrence of the House is requested.
Which was read.

The following message was received from the Senate by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 198, entitled

An act to amend section twelve of an act entitled an act in regard to the establishment of roads in St. Louis county, approved February 15, 1864;

House bill No. 325, entitled

An act to change the times of holding the probate court of Putnam county;

House bill No. 13, entitled

An act to amend an act entitled an act to establish a probate and common pleas court in the county of Greene;

House bill No. 448, entitled

An act to authorize the re-assessment and collection of the cost of constructing, re-constructing and repairing the sidewalks and carriage-ways of certain streets, and of grading, paving and repairing certain alleys, and of abating nuisances, by filling or draining ponds and low grounds on private property in the city of St. Louis;

Which was read.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined and find correctly enrolled the following bills, and that the same have been presented to the Governor for his approval:

House bill No. 15, entitled,

An act to establish a probate court in St. Francois county;

House bill No. 26, entitled

An act to provide for the payment of the special taxes assessed against the lands of the Missouri Institution for the Education of the Blind in the city of St. Louis, in conformity to the laws and ordinances concerning the improvement of streets and alleys in the city;

House bill No. 101, entitled

An act to appropriate money for the benefit of the State Board of Agriculture and State Horticultural Society;

House bill No. 211, entitled

An act to establish a probate court in Stone county;

House bill No. 240, entitled

An act to refund to the St. Vincent's Free School of St. Louis, two hundred and fifty-nine dollars and thirty cents;

House bill No. 311, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870;

House bill No. 357, entitled

An act to repeal an act entitled an act to amend chapter fifty-five of the General Statutes of Missouri, approved February 27, 1868:

House bill No. 373, entitled

An act in relation to the collection of special tax bills in the City of St. Louis, issued for street and alley work, and for constructing district sewers;

House bill No. 388, entitled

An act to amend sections one and two of an act changing the time of holding the circuit court of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the twelfth judicial circuit, and granting to said counties an additional term, and to provide for the payment by said counties of compensation to the judge of the twelfth judicial circuit in addition to his present salary;

House bill No. 389, entitled

An act authorizing the sale of military arms, equipments, accoutrements and ammunition belonging to the State of Missouri, and to regulate the same;

House bill No. 424, entitled

An act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Barton, Lawrence, Wright, Nodaway, Chariton, etc., etc., define their jurisdiction, and provide for the election of a judge of probate, approved March 19, 1866;

House bill No. 445, entitled

An act to separate the county of Worth from the seventeenth judicial circuit, and to attach the same to the twelfth judicial circuit of this State, and to fix the times for holding circuit courts of said county;

House bill No. 460, entitled

An act attaching certain territory to the town of Westport, to enable said town to take stock in a railroad;

House bill No. 470, entitled

An act to establish a probate court in Saline county;

House bill No. 490, entitled

An act to amend an act entitled an act to incorporate the city of Mexico, approved March 17, 1857;

House bill No. 442, entitled

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund, in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads, on the terms of his original contract therefor with the State, and to authorize the said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw a warrant in favor of James B. Eads, for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants;

Which was read.

House bill No. 85, entitled

An act to create the office of Public Printer, and to prescribe the duties thereof;

Was taken up, together with the substitute recommended by the Senate;

Which was read, when

On motion of Mr. Asher,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. Frost, Speaker *pro tem.*, in the chair.

Mr. Brown of Howard, moved a call of the House, which was seconded by ten members.

The roll being called, the following members answered to their names:

Present—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bass, Bennett, Bohn, Borg, Bosbyshell, Brown of Howard, Buckham, Buller, Burton, Clark, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod, Dolle, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of Caldwell, Maupin, Mabrey, McPike, Miller, Ming, Moore of Livingston, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Richardson, Robinson, Samuel, Sanford, Scoville, Shafer, Smith, Steele, Stone, Squires, Van Roden, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—81.

Absent—Messrs. Abington, Alsup, Asher, Bell, Bradshaw, Bittinger, Breazeale, Brown of Monroe, Bulkley, Claiborne, Clark, Cloud, Colcord, Dent, Dolman, Edens, Hooper, Hardin, Kitchen, Leach, Martin of St. Louis, McAllister, McMillan, Mitchell, Moore of Stone, Mortell, O'Bannon of Dallas, Pauley, Randall, Ray, Rolston, Schooley, Sharp, Sloan, Sorrell, Stancil, Turner, Von Kochtitzky, Walker, Wieland and Wight of Vernon—41.

Absent with leave—Messrs. Burrows, Chilton, George, Howell, Leeper, Marlin, Raney, Sides, Thomas and White of Texas—10.

Sick—Messrs. Beltrami, Bunch, Butler, Gratiot and Shewalter—5.

Mr. Mullings moved to dispense with further proceedings under the call of the roll;

Which was agreed to.

Senate bill No. 204, entitled

An act to expedite the construction of a bridge across the Mississippi river at the city of Cape Girardeau,

Was taken up.

Read the first time, on motion, the rules were suspended, the bill read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Barrett, Bass, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Brown of Howard, Buckham, Buller, Burton, Clark, Coleman, Collier, Crockett, Davis, Dean, Doak, Dod,

Dolle, Edwards, Eubanks, Fassen, Frost, Gates, Girdner, Goodson, Gray, Haas, Hackman, Harmon, Hickman, Hubbell, Hutt, Knott, Koch, Kost, Lamson, Langston, Latshaw, Logan, Marlin, Martin of Caldwell, Maupin, Mabrey, McPike, Miller, Ming, Moore of Livingston, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, O'Bannon of Pettis, Pope, Price, Richardson, Robinson, Samuel, Sanford, Schooley, Scoville, Shafer, Sharp, Sloan, Smith, Steele, Stone, Squires, Thomas, Van Roden, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—87.

NOES—None.

Absent—Messrs. Abington, Alsup, Bell, Beltrami, Bradshaw, Breazeale, Brown of Monroe, Bulkley, Bunch, Burrows, Butler, Claiborne, Chilton, Cloud, Colcord, Dent, Dolman, Edens, Hardin, Hooper, Howell, Kitchen, Leach, Marshall, Martin of St. Louis, McAllister, McMillan, Mitchell, Moore of Stone, Mortell, O'Bannon of Dallas, Pauley, Raney, Randall, Ray, Rolston, Shewalter, Shields, Sides, Sorrell, Stancil, Turner, Von Kochtitzky, Walker, Wielandy, White of Texas and Wight of Vernon—47.

Absent with leave—Messrs. George and Leeper, —2.

Sick—Mr. Gratiot—1.

The title of the bill was then read and agreed to.

The following message from the Senate was received by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 381, entitled

An act to vacate the office of judge of the probate court of Platte county, and to change the time of electing a judge of the said court; Which was read.

The House resumed the consideration of House bill No. 85, entitled

An act to create the office of Public Printer, and to prescribe the duties thereof.

Senate substitute for the same was read the first time.

Mr. Pope moved to suspend the rules and read the substitute the second time.

Messrs. Pope and Bittinger demanding the ayes and noes, the motion to suspend the rules was not agreed to by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Asher, Auer, Bohn, Clark, Crockett, Dod, Dolle, Dolman, Eubanks, Gates, Haas, Hackman, Harmon, Hickman, Hubbell, Koch, Kost, Lamson, Langston, Martin of Caldwell, McMillan, Miller, Moore of Livingston, Mullings, Neal, Norris, O'Bannon of Pettis, Pope, Richardson, Robinson, Scoville, Shafer, Sharp, Shields, Smith, Steele, Van Roden, Williams of Morgan and Worden—41.

NOES—Messrs. Adams of Butler, Applegate, Ballard, Barnes, Barrett, Bass, Bell, Bennett, Bittinger, Borg, Bosbyshell, Bradshaw,

Brown of Howard, Buckham, Buller, Burton, Colcord, Coleman, Collier, Davis, Dean, Doak, Edwards, Fassen, Frost, Girdner, Goodson, Gray, Hutt, Knott, Latshaw, Logan, Maupin, Mabrey, McPike, Ming, Murphy, Murray, Myers, Newman, Price, Samuel, Sanford, Schooley, Shewalter, Sloan, Stone, Walker, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—52.

Absent—Messrs. Abington, Alsup, Breazeale, Brown of Monroe, Bulkley, Butler, Claiborne, Cloud, Dent, Edens, George, Hardin, Hooper, Howell, Kitchen, Leach, Marlin, Marshall, Martin of St. Louis, McAllister, Mitchell, Moore of Stone, Mortell, O'Bannan of Dallas, Pauley, Raney, Randall, Ray, Rolston, Sorrell, Stancil, Squires, Turner, Von Kochtitzky and Wielandy—36.

Absent with leave—Messrs. Burrows, Chilton, Leeper, Sides, Thomas and White of Texas—6.

Sick—Messrs. Beltrami, Bunch and Gratiot—3.

Mr. Pope offered the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring therein :

That the State Board of Education, be and they are hereby empowered, if they find it expedient and wise, to authorize the treasurer to subscribe for one million dollars worth of the new Government five per cent. loan;

Which was read the first time, on motion to suspend the rules to read the concurrent resolution the second time, the ayes and noes being demanded, the motion to suspend the rules was lost by the following vote:

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Barrett, Bass, Bittinger, Borg, Buckham, Bulkley, Buller, Cloud, Crockett, Davis, Dolle, Dolman, Edens, Frost, Haas, Hackman, Harmon, Hickman, Hubbell, Hutt, Koch, Kost, Lamson, Martin of Caldwell, Mabrey, McMillan, Miller, Mitchell, Moore of Livingston, Mortell, Mullings, Neal, Norris, O'Bannon of Pettis, Pope, Robinson, Shafer, Sharp, Smith, Steele, Van Roden, Wielandy, Williams of Morgan and Worden—48.

NOES—Messrs. Adams of Butler, Auer, Barnes, Bell, Beltrami, Bosbyshell, Bradshaw, Brown of Howard, Burton, Coleman, Collier, Dean, Dod, Edwards, Eubanks, Gates, Girdner, Goodson, Gray, Latshaw, Logan, Marshall, Maupin, McPike, Murphy, Murray, Myers, Newman, Pauley, Price, Richardson, Samuel, Sanford, Stancil, Squires, Turner, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Audrain and Mr. Speaker—41.

Absent—Messrs. Abington, Alsup, Ballard, Beltrami, Bohn, Breazeale, Brown of Monroe, Butler, Claiborne, Clark, Colcord, Dent, Doak, Fassen, George, Hardin, Hooper, Howell, Kitchen, Knott, Langston, Leach, Leeper, Marlin, Martin of St. Louis, McAllister, Ming, Moore of Stone, O'Bannan of Dallas, Raney, Randall, Ray, Rolston, Schooley, Scoville, Shields, Sloan, Sorrell, Stone, Thomas, Walker and White of Texas—42.

Absent with leave—Messrs. Burrows, Ohilton and Sides—3.

Sick—Messrs. Bunch, Gratiot, and Shewalter—3.

House bill No. 115, entitled

An act to amend an act entitled an act to amend an act to amend section five of chapter one hundred and thirty-four of the General Statutes, approved February 21, 1868, approved March 16, 1870,

Was taken up,

The following amendment recommended by the Senate:

Amend one, section one, by striking out the word "and," in the twelfth line after the word "nineteenth," and insert in the same line of the same section after the word "twentieth," the words "and twenty-third;"

Which was read and concurred in.

The following message was received from the Senate, by Mr. Hendrick, the Secretary:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 173, entitled

An act to amend sections two and twelve of an act entitled an act to incorporate the Lexington and Utica Railroad Company;

House bill No. 295, entitled

An act to amend sections two, three and four of an act entitled an act in relation to certain records of Howard, Ray and Carroll counties, approved March 24, 1870;

House bill No. 402, entitled

An act to amend an act entitled an act to incorporate the Mt. Mora Cemetery Association of St. Joseph, approved February 22, 1851;

House bill No. 465, entitled

An act to amend an act entitled an act to incorporate the town of Princeton, in Mercer county, Missouri, approved March 1, 1865:

House bill No. 396, entitled

An act to amend an act entitled an act to enable counties, cities and incorporated towns to fund their respective debts, approved March 24, 1868;

Also the Senate has passed with amendments:

House bill No. 115, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend section five of chapter one hundred and thirty-four of the General Statutes, approved March 21, 1868, approved March 16, 1870.

In which the concurrence of the House is respectfully requested; Which was read.

Mr. McMillan offered the following resolution:

Resolved, That the Committee on Accounts is hereby instructed to allow the account of Mr. Pugh for seventeen days (work as clerk of select committee on revenue;

Which was read and adopted.

House bill No. 286, entitled

An act to amend an act entitled an act to grant the right of way to the Iowa and Missouri State Line Railroad Company, approved January 4, 1860,

Was taken up.

The substitute recommended by the Committee on Internal Improvements, was read the first time, rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Abington, Adams of Butler, Applegate, Auer, Ballard, Barrett, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Buckham, Bulkley, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Edens, Eubanks, Frost, Girdner, Gray, Haas, Hackman, Hardin, Hickman, Hubbell, Hutt, Lamson, Langston, Latshaw, Logan, Marlin, Marshall, Martin of Caldwell, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Neal, Newman, Norris, Pauley, Pope, Price, Richardson, Robinson, Scoville, Shafer, Sharp, Steele, Stone, Squires, Von Kochtitzky, Wielandy, Wight of Vernon, Wilkes, Williams of Audrain, Williams of Morgan and Worden—80.

NOES—Messrs. Breazeale and Dolman—2.

Absent—Messrs. Abbee, Adams of Gentry, Alsup, Asher, Barnes, Bass, Bell, Beltrami, Borg, Brown of Monroe, Butler, Dent, Dod, Edwards, Fassen, Gates, George, Goodson, Harmon, Hooper, Howell, Kitchen, Knott, Koch, Kost, Leach, Martin of St. Louis, McAllister, Moore of Stone, O'Bannon of Dallas, O'Bannon of Pettis, Raney, Randall, Ray, Rolston, Samuel, Sanford, Schooley, Shewalter, Shields, Sloan, Smith, Sorrell, Stancil, Thomas, Turner, Van Roden, Walker and White of Texas—49.

Absent with leave—Messrs. Burrows, Chilton, Leeper and Sides—4.

Sick—Messrs. Bunch and Gratiot—2.

Mr. Stone, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred

Senate bill No. 90, entitled

An act entitled an act to create an insurance department, approved March 4, 1869, amended and approved March 24, 1870,

Have had the same under consideration, and have instructed me to report the bill back to the House with the recommendation that it do pass with the accompanying amendments;

Which was read.

Senate bill No. 90, entitled

An act entitled an act to create an insurance department, approved March 4, 1869, amended and approved March 24, 1870,

Was taken up.

The following amendment was offered by Mr. Knott:

Amend by adding a new section as follows:

Section —. And it shall be the duty of said commissioner to receive, from any life insurance company, organized under any general law of this State, bonds of any State of the United States, or notes or bonds secured by deeds of trust or mortgages on real estate situate

therein, and to hold the same in trust as security for policy holders of said company, residing within the State where such securities are located, and so long as the market value of the securities deposited equal the net value of the policies issued in such State, he shall certify on each that it is so secured. The real estate mentioned in this section shall be unincumbered and worth by appraisement of men appointed by the commissioner, at least double the sum for which it is pledged. The commissioner shall keep all necessary records of said securities and policies, and make all needful rules and regulations in relation thereto;

Which was read and not agreed to by the following vote :

AYES—Messrs. Abbee, Applegate, Asher, Ballard, Bittinger, Bulkley, Buller, Cloud, Dod, Dolle, Eubanks, Goodson, Kitchen, Kost, Lamson, Latshaw, Miller, Moore of Livingston, Mullings, Murphy, Norris, O'Bannon of Pettis, Price, Richardson, Sharp, Shields, Wight of Vernon and Williams of Morgan—28.

NOES—Messrs. Adams of Butler, Adams of Gentry, Auer, Barnes, Barrett, Bass, Bell, Bennett, Bohn, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Claiborne, Colcord, Crockett, Davis, Dean, Dolman, Edens, Edwards, Frost, Girdner, Gray, Haas, Harmon, Hubbell, Koch, Logan, McAllister, McMillan, McPike, Ming, Mitchell, Myers, Neal, Newman, Pauley, Pope, Robinson, Sanford, Schooley, Scoville, Shafer, Shewalter, Smith, Stancil, Stone, Squires, Turner, Van Roden, Von Kochtitzky, Wilkes, Williams of Audrain and Worden—56.

Absent—Messrs. Abington, Alsop, Beltrami, Borg, Breazeale, Buckham, Clark, Coleman, Collier, Dent, Doak, Fassen, Gates, George, Hackman, Hardin, Hickman, Hooper, Howell, Hutt, Knott, Langston, Leach, Leeper, Marlin, Marshall, Martin of Caldwell, Martin of St. Louis, Maupin, Mabrey, Moore of Stone, Mortell, Murray, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Samuel, Sides, Sloan, Sorrell, Steele, Thomas, Walker, Wielandy, and White of Texas—48.

Not voting—Mr. Speaker—1.

Absent with leave—Messrs. Burrows, Burton, Butler, and Chilton—4.

Sick—Messrs. Bunch and Gratiot—2.

Mr. Cloud offered the following amendment to the amendment:
Strike out the word "mutual" in the amendment;
Which was read and accepted.

Mr. Asher moved to adjourn.

The ayes and noes being demanded by two members, the motion to adjourn was not agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Gentry, Applegate, Asher, Auer, Ballard, Barnes, Bennett, Breazeale, Bulkley, Coleman, Dolle,

Edens, Eubanks, Harmon, Kitchen, Kost, Langston, Logan, Martin of Caldwell, Miller, Moore of Livingston, O'Bannon of Pettis, Price, Robinson, Samuel, Sanford, Stancil, Van Roden, Williams of Audrain and Williams of Morgan—31.

NOES—Messrs. Abington, Adams of Butler, Barrett, Bass, Bell, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buller, Burton, Claiborne, Clark, Cloud, Colcord, Crockett, Dean, Dod, Dolman, Eubanks, Frost, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Hubbell, Koch, Lamson, Latshaw, Martin of St. Louis, Mabrey, McMillan, McPike, Ming, Mitchell, Mortell, Mullings, Murray, Murphy, Myers, Neal, Norris, Pauley, Pope, Richardson, Schooley, Scoville, Shafer, Sharp, Shields, Sloan, Steele, Stone, Squires, Turner, Von Kochtitzky, Wight of Vernon, Wilkes, Worden and Mr. Speaker—65.

Absent—Messrs. Alsup, Beltrami, Buckham, Collier, Davis, Dent, Doak, Fassen, Gates, Hickman, Hooper, Howell, Hutt, Knott, Leach, Marlin, Marshall, Mabrey, McAllister, Moore of Stone, Norris, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Sides, Smith, Sorrell, Walker and Wielandy—30.

Absent with leave—Messrs. Burrows, Butler, Chilton, Davis, George, Leeper, Thomas and White of Texas—8.

Sick—Messrs. Bunch and Shewalter—2.

Mr. Goodson moved to postpone the further consideration of Senate bill No. 90, until the third Monday in December;
Which was agreed to.

The Speaker laid before the House the following communication from Irish exiles in America :

SWEENEY'S HOTEL, NEW YORK,
March 12, 1871.

D. A. Sutton, Esq., Chief Clerk of the House of Representatives of Missouri :

SIR: On behalf of the Irish exiles now in this country, I am directed to acknowledge the receipt of the preamble and resolutions adopted by the State of Missouri, sympathising with the cause of Ireland, and inviting the exiles to visit your State.

We received the preamble and resolutions through the hands of his honor, the Mayor of New York.

Our absence from the city for several days is the only apology we can offer for delaying this acknowledgment so long.

We request you to convey to the gentlemen of the committee and the members of the Legislature at large, our profound thanks for their generous recognition of Ireland's holy though baffled cause, and their hospitable invitation to us, as the representatives of that cause.

The difficulty of finding words to express in fitting terms the gratitude that we feel for the expression of sympathy by the representatives of the people of a sovereign state of this magnificent Union, leaves us no alternative but to crave your indulgence, and

leave the imagination to picture what swelling hearts would offer, what throbbing brains would dictate, and what ready lips would utter, did not the poverty of our language prohibit the tribute due to the generous welcome extended to us by the great State of Missouri.

It is only a noble, a generous and a free people, who would venture to endorse a beaten cause, and extend the hand of welcome to those who suffered defeat.

The years of torture, the agony of separating from country and friends, and the exile we now endure, are fully compensated for by your endorsement of the cause for which we are banished from our country, and are sweetened by the recollection that the felons of yesterday are the honored, welcomed and feasted guests of the generous and enlightened people of America to-day. The greatest sufferings, the most crushing defeat and the bitterest exile, are easily borne, when softened by the sympathy and subdued by the cheers of a free people.

The hopes and aspirations that might linger out a sickly existence under the cold breath of denunciation, or expire entirely in the frigid atmosphere of neglect, spring up into renewed life and take firm root under the generous stimulant of popular approbation.

While the hateful tyranny that oppressed the energies of the Irish people, and blighted the hopes of an ancient nation, brands us as felons, enemies of order and disorganizers of society, the American people, the best judges to whom we could appeal, hail us as brothers struggling in the cause of progress and deem us worthy of the most generous welcome to the shores of the first of free nations.

Time can never blot from our memories the recollection of the greetings we have received since our arrival in the United States, nor change into doubt or despair the words of hope that cheer us on in the struggle for the independence of our native land.

Under the inspiring influence of America's recognition of Ireland's right to independence we intend to continue our efforts for a separate nationality for our beloved fatherland, nor cease until we secure for it the same republican system of government that has made the United States the first nation in the world. This we intend to do without any infraction of the laws of this country, that has so generously opened its gates to the oppressed people of all nations, and afforded to so many millions of our own countrymen independent homes under the shelter of its unsullied flag.

We regret, however, that the necessity of engaging immediately in the practical work of our mission, will prevent us from availing ourselves of the invitation to visit Missouri, at least for the present; but this necessity, in no way, lessens the obligations we owe to the Legislature and people of Missouri for the invitation to visit the State capital, and the words of hope and cheer with which they greet our advent to the United States.

Permit us, therefore, to conclude with the warmest expressions of thanks to the committee and members of the Legislature for their expressions of sympathy with ourselves and their recognition of Ireland's right to independence.

I am, sir,

With great respect,

Your obedient servant,

WM. J. HALPINE.

Which was read, and,

On motion of Mr. Colcord,
Ordered to be spread upon the journals.

Mr. Colcord offered the following resolution:

Resolved, That the Committee on Accounts is hereby directed to audit the claim of F. Rowe for the sum of one hundred dollars for services as clerk of special committee of the House of Representatives of the 25th General Assembly, which has been referred to the Committee on Claims and been approved;

Which was read and adopted.

Mr. Pope offered the following resolution:

Resolved, That the most cordial thanks of this House are due and are hereby tendered to Messrs. T. D. Rapp, Official Reporter, George Brown of *Republican*, J. H. Holland of the *Democrat*, Fred. Zaensch of the *Anzeiger*, Arden R. Smith of the *Dispatch*, Maj. J. Edwards of *Kansas City Times*, and Messrs. Newton Crane and John Fayell, correspondents of the *Democrat* and *Republican*, for the manner in which they have reported the proceedings of this House, and for the lucid information as to our work thus given to the country;

Which was read and adopted.

The following message was received from the Governor by his private secretary:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,
City of Jefferson, March 18, 1871.

To the Honorable Speaker of the House of Representatives:

I have this day approved the following bills from the House:

An act appointing the State Auditor as agent of the State to sell the stock owned by the State of Missouri in her own right, and as trustee of the sinking fund, public school fund and seminary fund in the Bank of the State of Missouri, now the National Bank of the State of Missouri, to James B. Eads on the terms of his original contract therefor with the State, and to authorize said auditor to receive in payment therefor the treasurer's receipt to Eads for the bonds heretofore paid in by him, and to authorize the said auditor to draw a warrant in favor of James B. Eads for certain moneys due by the State, and authorizing the Governor to transfer said stock to Eads upon his compliance with the terms of this act, and appropriating money for the payment of said warrants.

An act to appropriate money for the benefit of the State Board of Agriculture and State Horticultural Society.

An act to amend sections one and two of an act entitled an act changing the time of holding the circuit court of the counties of DeKalb, Gentry, Nodaway, Andrew, Holt and Atchison, in the twelfth judicial circuit, and granting to said counties an additional term of said court, and to provide for the payment by said counties of a compensation to the judge of the twelfth judicial circuit, in addition to his present salary, approved February 3, 1870, being the same as section forty, article four, chapter forty-one, of Wagner's Statutes.

An act to establish a probate court in Stone county.

An act to separate the county of Worth from the seventeenth judicial circuit, and to attach the same to the twelfth judicial circuit of the State of Missouri, and to fix the time of holding the circuit court of said county.

An act authorizing the sale of military arms, equipments, accoutrements and ammunition, belonging to the State of Missouri, and to regulate the same.

An act to provide for the payment of the special taxes assessed against the lands of the Missouri Institution for the Education of the Blind in the city of St. Louis in conformity to the laws and ordinances concerning the improvement of the streets and alleys in the city.

An act to vacate the office of judge of the probate court of Platte county, and to change the time of electing a judge of said court;

An act to provide for a bureau of geology and mines, to complete the geological survey of the State of Missouri;

An act to amend an act entitled an act to incorporate the city of Mexico, approved March 17, 1857;

An act in relation to the collection of special tax bills in the city of St. Louis, issued for street and alley work, and for constructing district sewers;

An act to amend an act entitled an act to amend an act entitled an act to amend an act entitled an act concerning county courts and the justices thereof, in the counties of Ralls, Jasper, Livingston, etc., approved March 19, 1866, approved March 4, 1869, approved March 18, 1870;

An act to amend an act entitled an act to establish courts of probate in the counties of Ralls, Jasper, Livingston, Barton, Lawrence, Wright, Nodaway, Chariton, Mississippi, New Madrid, Pemiscot, Christian, Johnson, Buchanan, DeKalb, Butler, Stoddard, Howell, Webster, Sullivan, Warren, Linn, Phelps, Carter, Grundy, Scott and Oregon, define their jurisdiction and provide for the election of judges of probate, approved March 19, 1866;

An act to establish a probate court in St. Francois county;

An act to repeal an act entitled an act to amend chapter fifty-five of the General Statutes of Missouri, in relation to ferries, approved February 27, 1868;

An act to refund to the St. Vincent Free School of St. Louis, two hundred and fifty-nine dollars and thirty cents (\$259 30);

An act attaching certain territory to the town of Westport, to enable said town to take stock in a railroad.

Respectfully,

B. GRATZ BROWN.

Which was read.

The following message from the Senate was received by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 494, entitled

An act to change the terms and times of holding circuit court in the county of Daviess,

With the accompanying amendment.

In which the concurrence of the House is respectfully requested;

Which was read.

The following message from the Senate was received by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 493, entitled

An act to change the time of holding circuit court in Harrison county;

Which was read.

Mr. Brown of Howard, offered a concurrent resolution :

Concurrent resolution providing for the Public Printing;

Which was read the first time, the rules suspended, read the second time, the rules further suspended, read the third time, and passed by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Bulkley, Burton, Butler, Colcord, Coleman, Collier, Crockett, Davis, Dean, Doak, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Gates, Girdner, Goodson, Gray, Haas, Hardin, Hickman, Hubbell, Hutt, Kitchen, Koch, Latshaw, Logan, Marshall, Martin of Caldwell, Maupin, McPike, Ming, Mitchell, Moore of Livingston, Mullings, Murphy, Murray, Myers, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Sanford, Schooley, Shafer, Sharp, Shewalter, Stone, Squires, Turner, Van Roden, Von Kochtitzky, Worden and Mr. Speaker—74.

NOES—Messrs. Abbee, Asher, Buckham, Buller, Cloud, Gray, Harmon, Koch, Kost, Lamson, Langston, Mabrey, McMillan, Miller, Mortell, Neal, Newman, Robinson, Scoville, Shields, Stancil, Steele, Wight of Vernon, Wilkes, Williams of Audrain and Williams of Morgan—26.

Absent—Messrs. Abington, Alsup, Bass, Beltrami, Bohn, Burrows, Claiborne, Chilton, Clark, Dent, Dod, Fassen, Hackman, Howell, Knott, Marlin, Martin of St. Louis, McAllister, Moore of Stone, Norris, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Samuel, Sides, Sloan, Smith, Sorrell, Walker, Wielandy and White of Texas—34.

Absent with leave—Messrs. Leeper and Thomas—2.

Sick—Mr. Bunch—1.

Mr. Claiborne offered a concurrent resolution, entitled

Concurrent resolution in regard to the new proposed Governor's Mansion;

Was taken up, read the first time, the rules suspended, read the second time, the rules further suspended, read the third time and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Auer, Ballard, Barnes, Barrett, Bittinger, Bohn, Borg, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Claiborne, Cloud, Colcord, Coleman, Collier, Crockett, Doak, Dod, Dolle, Dolman, Edens, Edwards, Eubanks, Frost, Girdner, Goodson, Gray, Haas, Hackman, Hardin, Harmon, Hickman, Hubbell, Hutt, Kitchen, Koch, Kost, Lamson, Langston, Latshaw, Logan, Marshall, Martin of Caldwell, Mabrey, McMillan, McPike, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Myers, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Scoville, Shafer, Sharp, Sorrell, Stancil, Turner, Van Roden, Von Kochtitzky, Wielandy, Wight of Vernon, Williams of Morgan and Mr. Speaker—82.

NOES—Messrs. Dean, Miller, Neal, Stone, Wilkes and Worden—6.

Absent—Messrs. Alsup, Asher, Bass, Bell, Beltrami, Bennett, Butler, Clark, Davis, Dent, Fassen, Gates, George, Hooper, Howell, Knott, Leach, Marlin, Martin of St. Louis, Maupin, McAllister, Ming, Moore of Stone, Newman, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Samuel, Sanford, Schooley, Shewalter, Shields, Sloan, Smith, Stone, Squires, Walker, and Williams of Audrain—40.

Absent with leave—Messrs. Burrows, Chilton, Leeper, Sides, Thomas, and White of Texas—6.

Sick—Messrs. Bunch and Gratiot—2.

Mr. Edwards offered the following resolution :

Resolved, That the Committee on Printing is hereby instructed not to audit the account of Horace Wilcox, State Printer, for the publication of the fifth annual report of the Superintendent of the Public Schools of the State of Missouri to the Twenty-sixth General Assembly, until the first Monday in December, 1871, at which time or as soon thereafter as said committee can conveniently meet, the said committee is hereby authorized and instructed to meet in Jefferson City, with the power to send for persons and papers, and to investigate everything pertaining to said work, and report thereon at the adjourned session, and that until such report has been made said committee shall not allow a certificate of more than ten thousand dollars on said account in favor of the Public Printer;

Which was read. •

Mr. Asher moved to lay the resolution on the table ;

Which was not agreed to by the following vote :

AYES—Messrs. Asher, Auer, Bennett, Bohn, Clark, Dod, Dolman, Eubanks, Gates, Hickman, Lamson, Mitchell, and Moore of Livingston—13.

NOES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Ballard, Bell, Bittinger, Bosbyshell, Bradshaw, Brown of Howard, Brown of Monroe, Buckham, Bulkley, Buller, Burton, Coleman, Collier, Crockett, Davis, Dean, Dolle, Edwards, Girdner, Gray, Hackman, Hardin, Hubbell, Hutt, Koch, Marshall, Martin of Caldwell, Maupin, Mabrey, McPike, Miller, Ming, Mullings, Murphy, Murray, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Richardson, Robinson, Shafer, Steele, Stone, Squires, Van Roden, Von Kochtitzky, Wight of Vernon, Wilkes, Williams of Audrain and Worden—56.

Absent—Messrs. Abington, Alsup, Applegate, Barnes, Barrett, Bass, Beltrami, Borg, Breazeale, Claiborne, Cloud, Colcord, Dent, Doak, Edens, Fassen, Frost, George, Goodson, Haas, Harmon, Hooper, Howell, Kitchen, Knott, Kost, Langston, Latshaw, Leach, Leeper, Logan, Marlin, Martin of St. Louis, McMillan, McAllister, Moore of Stone, Mortell, Myers, Newman, O'Bannon of Dallas, Raney, Randall, Ray, Rolston, Samuel, Sanford, Schooley, Scoville, Sharp, Shewalter, Shields, Sides, Sloan, Smith, Sorrell, Stancil, Thomas, Turner, Walker, White of Texas and Mr. Speaker—62.

Absent with leave—Messrs. Burrows, Butler, Chilton and Wieldy—4.

Sick—Messrs. Bunch and Gratiot—2.

The Speaker appointed the following joint committee to investigate the books and accounts of the Lexington and St. Louis Railroad Company:

Messrs. Knott, Shewalter and Latshaw.

House bill No. 494, entitled
And act to change the terms and times of holding circuit court in the counties of Davis and Livingston,
Was taken up.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills beg leave to report that there have been presented to the Governor for his signature, Senate bills of the following titles:

No. 89. An act to amend an act entitled an act to incorporate the St. Louis Joint Stock Agricultural Association on the 26th day of November, A. D. 1870, changed its corporate name to that of St. Louis Stock Yard Company, under the general session acts of 1865, page twenty-eight;

No. 81. An act establishing a county court in Ozark county, abolishing the county court justices, as provided by General Statutes;

No. 112. An act amendatory of and supplementary to an act entitled an act to incorporate the Farmers' Male and Female Academy Association in the county of Newton, approved November 4, 1857;

No. 191. An act appropriating money for the use of the Lunatic Asylum;

No. 204. An act to expedite the construction of a bridge across the Mississippi river at the city of Cape Girardeau.

The resolution of Mr. Edwards was adopted by the following vote:

AYES—Messrs. Abbee, Abington, Applegate, Ballard, Barnes, Barrett, Bell, Bennett, Bosbyshell, Breazeale, Buller, Burton, Clark, Cloud, Coleman, Collier, Crockett, Davis, Dod, Dolle, Eubanks, Gates, Girdner, Goodson, Gray, Hardin, Koch, Kost, Lamson, Langston, McMillan, Ming, Mitchell, Moore of Livingston, Mortell, Mullings, Murphy, Murray, Neal, O'Bannon of Pettis, Pope, Richardson, Sharp, Stancil, Stone, Squires, Van Roden, Von Kohtitzky, Wilkes, Williams of Morgan, Worden and Mr. Speaker—52.

NOES—Messrs. Adams of Butler, Asher, Bittinger, Bohn, Brown of Howard, Buckham, Bulkley, Dolman, Edens, Eubanks, Frost, Harmon, Hickman, Martin of Caldwell, McMillan, Norris, Price, Robinson, Shafer, Shields and Steele—21.

Absent—Messrs. Adams of Gentry, Alsup, Auer, Bass, Beltrami, Borg, Brown of Monroe, Bradshaw, Burrows, Butler, Chilton, Claiborne, Colcord, Dean, Dent, Doak, Fassen, Haas, Hackman, Hooper, Howell, Hubbell, Hutt, Kitchen, Knott, Latshaw, Leach, Logan, Marlin, Martin of St. Louis, Marshall, Maupin, Mabrey, McAllister, McPike, Miller, Myers, Moore of Stone, Newman, O'Bannon of Dallas, Pauley, Randall, Raney, Ray, Rolston, Samuel, Sanford, Schooley, Scoville, Sides, Sloan, Smith, Sorrell, Thomas, Turner, Walker, Wie-

landy, White of Texas, Wight of Vernon and Williams of Audrain—59.

Absent with leave—Messrs. George and Leeper—2.

Sick—Messrs. Bunch, Gratiot and Shewalter—3.

Mr. Barrett offered the following resolution :

Resolved, That the Enrolling Clerk and two assistants be allowed ten days after the adjournment of the regular session to complete the business of his office;

Which was read and adopted.

Mr. Adams of Butler moved to reconsider the vote by which the resolution passed :

Which was agreed to.

Mr. Barrett offered the following resolution :

Resolved, That the Committee on Accounts be authorized to audit and allow the account of the proprietor of the *Daily State Times* for *Daily State Times* furnished the officers and members of the House at the rates allowed the news agent for papers furnished by him, and that said account be paid out of the contingent fund of the General Assembly ;

Which was read and adopted.

On motion of Mr. Bosbyshell,

The House adjourned until 10 o'clock Monday morning, 20th inst.

MONDAY, MARCH 20, 1871.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Wilson in the chair.

Prayer by the Chaplain, Rev. Mr. Huber.

The journal of Saturday was being read, when,

On motion of Mr. Wilkes,

The further reading was dispensed with.

The following message was received from the Senate, by the Secretary, Mr. Hendrick:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

House bill No. 214, entitled
An act to establish a probate court in the county of Bates ;
Which was read.

Mr. Edwards, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have examined and found correctly enrolled
House bill No. 381, entitled

An act to vacate the office of judge of the probate court of Platte county, and to change the time of electing a judge of the said court ;
Which was read.

Mr. Edwards, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have presented to his Excellency the Governor for his signature,
House bill No. 381, entitled

An act to vacate the office of judge of the probate court of Platte county, and to change the time of electing a judge of the said court ;
Which was read.

On motion of Mr. Wilkes,
The roll was called and the following gentlemen answered to their names:

Present—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Bradshaw, Breazeale, Brown of Howard, Buckham, Bulkley, Buller, Burton, Butler, Cloud, Colcord, Collier, Davis, Doak, Dotl, Dolle, Dolman, Edwards, Eubanks, Frost, George, Goodson, Haas, Hackman, Hardin, Hickman, Hubbell, Lamson, Latslaw, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, Richardson, Samuel, Schooley, Shewalter, Shields, Smith, Stancil, Steele, Stone, Squires, Turner, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—72.

Absent—Messrs. Abington, Alsup, Ballard, Bass, Beltrami, Borg, Brown of Monroe, Bunch, Burrows, Chilton, Claiborne, Clark, Coleman, Crockett, Dean, Dent, Edens, Fassen, Gates, Girdner, Gratiot, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, McAllister, Mitchell, Moore of Stone, Mullings, Neal, Norris, O'Bannan of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Sanford, Scoville, Shafer, Sharp, Sides, Sloan, Sorrell, Thomas, Van Roden, Von Kochtitzky, White of Texas and Wight of Vernon—65.

Mr. Asher offered the following resolution:

Resolved, That the pay of the Sergeant-at-Arms of this House be increased two dollars per day for extra services performed during the session ;

Which was read.

Mr. Moore of Livingston offered the following amendment:

Amend by adding "\$2 00 per day extra to be allowed to the pay of the member from Clark ;

Which was read.

Mr. Wilkes moved to lay the resolution and amendment on the table;

Which was agreed to by the following vote:

AYES—Messrs. Adams of Butler, Adams of Gentry, Applegate, Barnes, Barrett, Bennett, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Buller, Burton, Butler, Cloud, Colcord, Collier, Doak, Dod, Dolle, Edwards, George, Goodson, Haas, Hackman, Hickman, Hubbell, Mabrey, McPike, Miller, Ming, Moore of Livingston, Murray, Myers, Newman, Richardson, Samuel, Schooley, Stone, Squires, Turner, Wilkes, Williams of Audrain, Williams of Morgan and Worden—44.

NOES—Messrs. Asher, Bell, Bitteringer, Bohn, Cloud, Colcord, Collier, Davis, Dolman, Eubanks, Frost, Hardin, Lamson, Latshaw, Martin of St. Louis, Maupin, McMillan, Mortell, Murphy, O'Bannon of Dallas, Shewalter, Shields, Smith, Stancil, Steele, Walker, Wielandy and Mr. Speaker—28.

Absent—Messrs. Abington, Alsup, Auer, Ballard, Bass, Borg, Bradshaw, Brown of Monroe, Buckham, Chilton, Claiborne, Clark, Coleman, Crockett, Dean, Dent, Edens, Fassen, Gates, Girdner, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, McAllister, Mitchell, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Sanlord, Scoville, Shafer, Sharp, Sides, Sloan, Sorrell, Thomas, Van Roden, Von Kochtitzky, White of Texas and Wight of Vernon—63.

Sick—Messrs. Bunch and Burrows—2.

Mr. Stone offered the following resolution:

Resolved, That the State Board of Education be recommended to exchange at least one million of 5-20 bonds, now held by the School Fund, for the new United States five per cent loan lately put upon the market by the Secretary of the Treasury;

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined bills of the following titles, and find them correctly enrolled, and delivered the same to the Governor for his approval:

House bill No. 492, entitled

An act to facilitate the collection of taxes for the year 1871, and to provide for the assessment of real estate for 1872, and to regulate the assessment in St. Louis county;

House bill No. 182, entitled

An act to provide for a bureau of geology and mines, to complete the geological survey of the State of Missouri;

House bill No. 325, entitled

An act to change the times of holding the probate court of Putnam county;

House bill No. 387, entitled

An act changing the times of holding the circuit court of the county of Buchanan, in the twelfth judicial circuit;

House bill No. 173, entitled

An act to amend sections two and twelve of an act entitled an act to incorporate the Lexington and Utica Railroad Company;

House bill No. 457, entitled

An act to amend an act entitled an act to incorporate the city of Missouri City, approved March 14, 1859;

House bill No. 397, entitled

An act to amend section four of article nine, entitled of "miscellaneous provisions" of an act entitled an act to amend an act entitled an act to incorporate the town of Holden, in Johnson county, approved January 28, 1870;

House bill No. 468, entitled

An act to change the time for holding courts in the ninth judicial circuit, and to amend section thirty-five of chapter one hundred and thirty-six of title thirty-three of the General Statutes of the State of Missouri;

House bill No. 359, entitled

An act for the relief of the trustees of the Carthage Female Academy;

House bill No. 115, entitled

An act to amend an act entitled an act to amend an act entitled an act to amend section five of chapter one hundred and thirty-four of the General Statutes, approved February 21, 1868, approved March 16, 1870;

Senate substitute for House bill No. 202, entitled

An act amending an act entitled an act to incorporate the city of Waverly;

House bill No. 381, entitled

An act to vacate the office of judge of the probate court of Platte county, and to change the time of electing a judge of the said court;

House bill No. 396, entitled

An act to amend an act entitled an act to enable counties, cities and incorporated towns to fund their respective debts, approved March 24, 1868;

House bill No. 448, entitled

An act to authorize the re-assessment and collection of the cost of constructing, reconstructing and repairing the sidewalks and carriage ways of certain streets, and of grading, paving and repairing certain alleys, and of abating nuisances, by filling or draining certain ponds and low grounds on private property in the city of St. Louis;

Also, House concurrent resolution No. 39, entitled

Concurrent resolution to appoint a committee to examine the books and accounts of the Lexington and St. Louis Railroad Company, and to send for persons and papers;

Also, House bill No. 198, entitled

An act to amend section twelve of an act entitled an act in regard to the establishment of roads in St. Louis county, approved February 15, 1864;

House bill No. 295, entitled

An act to amend sections two, three and four of an act entitled an act in relation to certain records of Howard, Ray and Carroll counties, approved March 24, 1870;

House bill No. 13, entitled

An act to amend an act entitled an act to establish a probate and common pleas court in Greene county, approved November 23, 1855;

House bill No. 494, entitled

An act to change the terms and times of holding circuit court in the counties of Daviess and Livingston;

House bill No. 19, entitled

An act to amend an act entitled an act to establish a court of common pleas in the county of Linn, approved March 12, 1867;

House bill No. 493, entitled

An act to change the times and terms of holding circuit court in Harrison county;

House bill No. 402, entitled

An act to amend an act entitled an act to incorporate the Mount Mora Cemetery Association of St. Joseph, approved February 22, 1851;

House bill No. 192, entitled

An act to amend an act entitled an act to establish a common pleas court in the county of Caldwell, approved March 15, 1870;

House bill No. 234, entitled

An act to amend an act entitled an act to incorporate the city of Springfield and more fully define its powers, approved December 13, 1855, and to repeal an act amendatory thereof, approved March 23, 1868, and to revise section one of article four, and sections one, two, three, four, five, six, seven and eight, of article eight, of the first above recited act;

House bill No. 288, entitled

An act to amend the charter of the town of Canton, and consolidate the several acts relating thereto;

House bill No. 465, entitled

An act to amend an act entitled an act to incorporate the town of Princeton, in Mercer county, approved March 1, 1855;

House bill No. 214, entitled

An act to establish a probate court in the county of Bates;
Which was read.

Mr. Wilkes moved a call of the House, which was seconded by ten members.

The following gentlemen answered to their names:

Present—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Buller, Burton, Butler, Cloud, Colcord, Collier, Davis, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, George, Goodson, Haas, Hackman, Hardin, Hickman, Hubbell, Lamson, Latshaw, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Richardson, Samuel, Schooley, Shewalter, Shields, Smith, Stancil, Steele, Stone, Squires, Turner, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—70.

Absent—Messrs. Abington, Alsup, Auer, Ballard, Bass, Beltrami, Borg, Bradshaw, Brown of Monroe, Buckham, Bunch, Burrows, Chilton, Claiborne, Clark, Coleman, Crockett, Dean, Dent, Edens, Fassen, Gates, Girdner, Gratiot, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, McAllister, Mitchell, Moore of Stone, Mullings, Neal, Norris, O'Bannon of Dallas, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Sanford, Scoville, Shafer, Sharp,

Sides, Sloan, Sorrell, Thomas, Van Roden, Von Kochtitzky, White of Texas and Wight of Vernon—67.

On motion of Mr. Frost, the further proceeding under the call of the House was dispensed with.

Mr. Buller moved to reconsider the vote by which the resolution offered by Mr. Stone this morning was adopted,

Upon which Mr. Stone demanded the ayes and noes.

The motion to reconsider was lost by the following vote, a quorum not voting:

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Barnes, Bohn, Breazeale, Buller, Burton, Cloud, Collier, Davis, Doak, Dod, Frost, George, Goodson, Hackman, Hickman, Lamson, Mabrey, Moore of Livingston, Schooley, Smith, Wilkes, Williams of Audrain, Williams of Morgan and Worden—28.

NOES—Messrs. Asher, Barrett, Bell, Bittering, Bosbyshell, Brown of Howard, Bulkley, Butler, Dolle, Dolman, Edwards, Haas, Hardin, Hubbell, Martin, of St. Louis, Maupin, McMillan, McPike, Miller, Ming, Mortell, Murray, Newman, Richardson, Samuel, Shields, Stancil, Steele, Stone, Squires, Turner, Wielandy and Mr. Speaker—33.

Absent—Messrs. Abington, Alsup, Auer, Ballard, Bass Beltrami, Bennett, Borg, Bradshaw, Brown of Monroe, Buckham, Bunch, Burrows, Claiborne, Clark, Colcord, Crockett, Dean, Dent, Edens, Eubanks, Fassen, Gates, Girdner, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Latshaw, Leach, Logan, Marshall, Marlin, Martin of Caldwell, McAllister, Mitchell, Moore of Stone, Mullings, Murphy, Meyers, Neal, O'Bannon of Dallas, O'Bannon of Pettis, Pauley, Pope, Price, Raney, Randall, Ray Robinson, Rolston, Sanford, Scoville, Shafer, Sharp, Shewalter, Sides, Sloan, Sorrell, Thomas, VanRoden, Von Kochtitzky, Walker, White of Texas and Wight of Vernon—72.

Absent with leave—Messrs. Chilton and Leeper—2.

Sick—Messrs. Gratiot and Norris—2.

Mr. Moore of Livingston, from the special committee, to whom was referred the location of the normal schools, submitted the following report:

MR. SPEAKER: Your committee appointed by joint resolution to investigate and report concerning the location of the two normal schools of this State by the board of regents, appointed under the provisions of an act of the General Assembly, approved March 19, 1870, would respectfully present that they find the facts to be as follows: That at the first meeting of said board held at Jefferson City, December 15, 1871, there were before said board offers from three counties bidding for the location of said schools. Adair county offered a site for the school consisting of ten acres of ground within one mile of the public square in Kirksville, with buildings to be erected thereon of the value of fifty thousand dollars; and also eight lots and school building thereon in the town of Kirksville.

Pettis county offered a site for the school to be worth \$25,000 and \$60,000 in money and Johnson county through Messrs. Blodgett and Foster, offered buildings and grounds to be of the value of \$125,000. The board considering that the offer of Johnson county was not before them in such a manner as to permit it to be entertained by them, proceeded, and by resolution located said school in Adair and Pettis counties.

At a meeting of the board on the following day, the resolution locating the schools was reconsidered, and by resolution the times for receiving offers from cities, towns and counties was extended until the 26th day of December, 1870, at which time the board said that they would receive the offers of cities, counties and private subscriptions for the location of the school.

At a meeting of the board of regents held at Sedalia on the 28th day of December, 1870, they proceeded to consider the offers then made before them for the location of the schools; at which time Adair county offered by way of gift in addition to the former bid, the sum of eight thousand dollars of the bonds of said county

Franklin county offered a site of ten acres at the town of Washington, and \$100,000 in money. Johnson county offered the sum of \$260,035 in money and a site of either twenty or forty acres. Pettis county offered \$50,000 in addition to the sum already proposed by them. Livingston county offered \$60,000 in money, a site of ten acres adjoining the corporate limits of Chillicothe, and \$43,100 in private subscription. After considering the aforesaid bids, the board by resolution located the schools at Kirksville, and Sedalia. It the first Normal School District, the board have organized a school, and have drawn from the treasury the sum of \$2,500 for the support of the same for the first six months.

The committee are of the opinion that under the provisions of the law which provides that before either of the schools shall be established by the board, the county competing for the location shall offer grounds and buildings of the value of at least \$25,000, the board are not authorized to draw any money from the treasury until that requirement is fully complied with. The buildings offered by Adair county and accepted by the board, and in which the school is at present held were only estimates of the value of \$8,000. As the law is, the county of Adair would be obliged to erect the building on the site offered, to the value of \$50,000, which was the bid proposed by the agent of the county and accepted by the board.

Your committee were of the opinion, from the evidence before them, that the location for this second normal school district had not been made in compliance with the intent of the law to secure the greatest amount by way of buildings and grounds.

The bid of Johnson county, by its authorized agents, was the sum of \$260,035. This was the largest amount proposed by any county, but was not received by the board on account of alleged informalities in the election held to vote upon the proposition to subscribe.

There were similar objections raised concerning the bids of all the other counties except Franklin. Your committee were of the opinion that the board of regents could look only to the authority of the agents of such counties making the offer, and could only contract with them, and were not authorized by law to investigate beyond such agencies. They must contract with the county proposing to contribute the largest sum, and if such county complied with its offers, by the erection of buildings of the value named in their offer, then they would be entitled to the location of such school. In this manner the

interests of the State are securely protected by the law. No money can be drawn from the treasury until the county desiring the location shall have fully complied with its part of the contract in the erection of suitable buildings of the proposed value. Your committee would therefore recommend the adoption of the following:

Resolved, That the board of regents in their selections of locations for the two proposed normal schools have not complied with the intentions of the law in securing the most favorable in point of benefit for the State.

Resolved, That the Treasurer is not authorized to pay out any more money from the treasury for the support of said schools unless the order of the board for the same is accompanied with an affidavit of the affairs of said board that the provisions of the law have been fully complied with.

ROBT S. MOORE,
R. T. SLOAN.

Which was read.

Mr. Buller, from the committee on the location of the normal school, submitted the following:

MR. SPEAKER: While concurring with the majority of your committee to a great extent as to the facts set forth in the foregoing report, I have been unable to arrive at the same conclusions therefrom.

The law, section two, supplement No. one, article two, chapter one hundred and twenty-three, Wagner's Statutes, only authorizes counties and towns to subscribe such sums as two-thirds of the qualified voters should authorize at a general or special election to be held for that purpose. Such being the case, the election was a necessary pre-requisite to any such subscription, and no valid offer could be made unless founded upon a legal election. Hence it was proper for the board to inquire of persons claiming to be agents of counties with authority to contract on their behalf, whether the people of their counties had by their votes clothed them with the authority which they claimed to possess. \$110,000 of the bid of Johnson county was founded upon private subscriptions confessedly worthless to a great extent, and it was finally commuted by a bond of \$50,000, defeasible upon condition that the normal school should be located at Warrensburg. The regents had no authority to accept such a bond as a subscription, and the whole \$100,000 should be considered a nullity.

Another \$100,000 was subscribed by the county court upon the authority of an election claimed to have been held on the 22d of December, 1869. The facts as to this appear that on the 19th of November, 1869, the county court ordered an election to be held on the 20th of December there next to determine whether or not the county should subscribe \$50,000 to the normal school. Notice of which was ordered to be published in both the county papers twenty days before the election, which notice was published. But on the 8th of December another order was made changing the first and requiring the election to be held on the 22d of December upon a proposition to give \$100,000, notice of which was required in only one of the papers, (the *Journal*), and it was actually published once in the paper of the 19th of December. The election was held on the 20th in some townships, and on the 22d in others. The ballots were as follows:

For the Normal School subscription—Yes!

For the Normal School subscription—No!

No amount was stated. I am of opinion that this election was void for uncertainty, since it is evident that there were two essential-

ly different propositions before the people, and it is impossible to tell which one was really voted for, or if both, which if either was adopted. There were many other irregularities about this election not necessary to be noticed. But it was clearly no fair expression of the will of the people of Johnson county, nor any valid foundation for an offer of \$100,000 00 in bonds.

There remains then only the \$50,000 00 offered by the town of Warrensburg, which is claimed to have been voted on the 23d of December, in pursuance of an ordinance for holding an election, which was passed December 19th, so that there was manifestly no time to hold the special registration required by law. Con. Mo., article 3, sections 3 and 4—2 Wagner's Statutes, chapter 117, sections 2-7 and 18, so that if contested this subscription was also liable to have been defeated.

On the other hand it is conceded by all that the subscription of Pettis county is available to the extent of \$115,000 00 besides the land for the site. I think the regents, in their anxiety to have the schools located, erred in not rejecting all the offers and adjourning for a sufficient period to enable Johnson county to hold another election more in conformity with law. But as the law did not require them to do so, and as there is a strong spirit of opposition to such a large subscription on the part of citizens of Johnson county, rendering it doubtful whether anything could be gained by re-opening the subject. I am inclined to be of the opinion that it will be best to allow the location, as made at Sedalia, to stand. But no money should be paid out of the treasury therefor until the buildings are completed, and the law should also require the permanency of the location to depend upon the completion of the buildings within a limited time. As the law stands, the regent can have no control over the funds donated, and unless they are invested with such control, or the donors are required to perfect their donation within a reasonable time, the whole matter is liable to be tied up for an indefinite period by the acceptance of mere promises.

R. F. BULLER.

Which was read.

Mr. Moore of Livingston, from the committee to whom was referred the location of the Normal Schools, submitted the following report for the minority of the committee:

MR. PRESIDENT: The undersigned, a minority of your committee, to whom was referred the matter of the location of the Normal Schools established by the act approved March 19, 1870, entitled an act to aid in the establishment of Normal Schools, beg leave to submit the following report:

Having carefully examined the acts, records and papers relating thereto, we find: First. That by the provisions of the above mentioned act, a board of regents was created, with power conferred upon them to make selection of sites for two Normal Schools, one to be located on the north side of the Missouri river, and one on the south side thereof.

The manner of the selection and the restrictions that were to govern said board of regents in this selection are shown in sections two, three and six of the above named act, which read as follows:

SEC. 2. In each of the districts aforesaid one Normal School shall be established, as hereinafter provided, in the county which may offer the greatest inducement by way of buildings and grounds, which shall however, not be less than twenty-five thousand dollars in value,

and any county or city may donate or subscribe to the normal school of the district in which it is located, such sum of money as two-thirds of the qualified voters thereof shall, at a regular or special election, to be held therein, determine upon, and to pay the same may issue bonds, running for not less than twenty years, and bearing interest at a rate not exceeding ten per centum per annum, and convert the same into cash at such rates as may be deemed proper by the county court of such county, or the mayor and council of such city, and may also levy and collect such tax as may be required to pay the interest of said bonds and the principal thereof as the same becomes due.

SEC. 3. In order to enable the various counties to make their offers to establish schools as aforesaid, the board of regents herein-after established, may receive offers, and said board shall pass upon the offers made, select from among them the one most favorable for the purpose intended, shall inspect the buildings, if suitable buildings are offered, and assess their value; shall suggest the plans for new buildings or improvements to be on such as are offered, and when completed to their satisfaction, and in compliance with the second section of this act, and when so accepted, the property shall be conveyed to the board of regents, who shall hold the same in trust for the purposes aforesaid. The first meeting of the said regents shall take place at the City of Jefferson in pursuance of a notice to be issued by the State Board of Education.

SEC. 6. All offers for building and grounds suitable for the schools contemplated by this act, shall be forwarded to the State Superintendent of Public Schools for the consideration of the State Board of Education, and when any bid or bids shall have been made, which the State Board of Education shall deem a sufficient compliance with this act, and proper for the consideration of the the board of regents, then the State Board of Education shall call a meeting of said board of regents, who shall meet and take into consideration all such offers or bids and shall proceed to secure the buildings and grounds by proper deed, and establish thereon such a school for the district in which the county that made the offer is located; *provided*, no meeting of the board of regents shall be called, and no school shall be established for six months after the passage of this act; *provided*, the Normal School of Columbia, Boone county, shall not be considered as one for the first Normal district.

From the records we find the first meeting of the board held in compliance with the provisions of the above recited sections, was held at Jefferson City on December 1, 1870, when the following bids for the location of the said school in the first Normal district was submitted:

To the Board of Regents for the Normal Schools of the State of Missouri:

GENTLEMEN: The undersigned, as the agent of Adair county, acting under and by virtue of an appointment made by the county court of said county, would respectfully submit the following bid or proposition to secure the location of the Normal School for the first district at Kirksville, Adair county. That ten acres of land within one mile of the public square of the town of Kirksville, more or less, as may be determined by your honorable board, with building or buildings to be erected thereon agreeable to the plans and specifications to be submitted to said board of the value of fifty thousand dollars.

Second, In addition to the above and supplemental thereto, the building now owned by the North Missouri Normal School, and the

eight lots upon which it is situated, together with furniture, apparatus' library, etc., and now used by said school.

[Signed]

A. H. LINDER.

The annexed proposition is based upon the authority conferred upon the county court of Adair county by the vote of the people thereof, to appropriate a sum sufficient to secure the location of said school, not to be in excess of one hundred thousand dollars.

The solvency of the county is beyond question; her credit as good as any county in the State; her bonds are as near par as any other county bonds.

The county is substantially free from debt. The taxable wealth of the county which in 1865 was \$1,100,000 was in 1869 over \$2,600,000.

[Signed].

A. LINDER.

At an evening session held by the board on the same day per adjournment, we find by the record the adoption of the following resolution, five of the members of the board voting in favor thereof and one against its adoption:

Resolved, That the bid of Adair county be accepted and that we locate the Normal School for the first district at Kirksville, in Adair county.

The next record upon the subject is dated December 2, 1870, at Jefferson City, when we find the following resolution was adopted, five voing in favor of and one against said resolution:

Resolved, That the vote by which the bids of Pettis and Adair counties were accepted and the Normal Schools located in said counties, be reconsidered, and that the board, when it adjourn, adjourn to meet at Jefferson City on the 27th day of December, and that bids for such location be opened up to free and full competition.

On December 2, 1870, we find from the records of the board a meeting was held at Sedalia, where among other business, the following motion was made and agreed to:

That the board meet at Kirksville, Adair county, on the 22d of December, for the purpose of examining the building and grounds contained in the bid of said county.

Also, we find that on the same date the following rules were adopted for the government of the board, and entered upon the records:

First. All counties or municipal corporations desiring to make offers for the location of the Normal Schools, are required to make such offers on or before the 26th inst.

Second. All such offers shall be in cash or buildings and grounds, or both.

Third. All subscriptions of counties or municipal corporations shall be presented by a duly authorized agents.

Fourth. All private subscriptions shall be accompanied by satisfactory evidence of the responsibility of the parties.

Fifth. The board will not consider any bid or offer, for the location of the Normal School, unless the county court of such county, whose bid or offer may be approved and accepted, shall enter a contract with the board to the effect that the building to be erected according to the plans and specifications to be submitted by the board shall be finished and ready for inspection of the board within two years from the signing and delivery of said contract.

The next procedure in relation to the first district found on record, is the following resolution, which was adopted:

The bids made by Adair and Pettis counties on which the loca-

tions were made at Kirksville and Sedalia shall be considered as before the board, and no additional proposition made by these counties shall prejudice the claims of these counties to location of said Normal Schools at the place named.

Among the records of the session of December the 28th, held at Sedalia, we find the adoption of the following resolution:

Resolved, That all bids of private individuals for the location of Normal Schools shall be accompanied by a bond with sufficient securities conditioned for the payment of the amount subscribed, upon the contingency that the school is located in accordance with the proposal of such subscriber.

The next record in the case is a protest presented by B. G. Barrow, as attorney for Adair county, as follows:

Adair county *vs.* State of Missouri, by Board of Regents. In the matter of the normal schools for the first district of Missouri.

SEDALIA, Mo., December 28, 1870.

Now, at this day comes the county of Adair by her attorney and regularly and duly constituted agent, A. H. Linder, and in the matter of proceeding here inaugurated to re-locate a normal school for the first district. Protest against the action of the board of regents now attempted to be taken so as to undo and unsettle the action of this board which, by resolution on the first of December, 1870, located said normal school at the town of Kirksville, in Adair county, for said county claims that propositions were duly submitted to said board of regents through the State Board of Education, by Adair county, through A. H. Linder, her duly authorized agent, for the location of said school at Kirksville, which proposition and bid so made were on that day duly accepted and approved by resolution of the board of regents, duly convened for that purpose, and said school thereby was located, and said county insists that what purports to be a reconsideration of said action made the day following by the board, without the consent or knowledge of said county or its agent, was null and void, and could not divest legally said county of her right to said location, vested by said action and resolution on first of December, locating said school at Kirksville.

Signed,

B. G. BARROW,
Attorney for county.
A. H. LINDER,
Agent for county.

The record of the session, held at Sedalia at 7 o'clock, P. M., on the twenty-eighth of December, 1870, show that the bid of Adair county was taken up and considered when Judge Linder, in addition to the bids already made, presented the following:

To the Board of Regents of the State Normal School:

WHEREAS, On the first day of December, 1870, a proposition was submitted by the undersigned commissioner of Adair county to your honorable board looking to the location of the State Normal School for the first district at Kirksville, in said county, which proposition was then and there by a resolution of your board duly accepted, and the location thereby was, as we claim, secured at Kirksville; and it further appearing that said proposition so made and accepted was and is considered by members of your body as not being equally favorable to the State in amount as that offered by Pettis county and Sedalia; and it further appearing that some of the board do not consider that

said amount so offered and accepted is sufficient in amount to beautify and fence the grounds so given in said proposition for said normal school, and purchase the library and apparatus to make said school a first-class institution. Now claiming a vested right and valid contract to be existing between said county and the State of Missouri, effectually securing said location and refusing to surrender our right thereunder, but in order to show our interest in the success and honor of the enterprise, and to show our magnanimity we hereby, in consideration of the premises on behalf of said county, offer and tender, by way of additional donation, to said State Normal School so located the sum of eight thousand dollars of bonds of said county, having twenty years to run, at seven per cent., to be under the control and subject to the disposition of the board for said purpose aforesaid, to be disposed of at such times and at such prices as the court may see fit, that is bonds calling for eight thousand dollars, and it is expressly understood herein that this is not to be considered as any portion of the bid heretofore made, nor in any manner to operate as a variance in abandonment of the contract heretofore made as aforesaid, or to operate as a variance or rescision of such contract.

Signed,

A. H. LINDER,

For Adair county.

The bids heretofore mentioned comprise the bids of Adair county submitted as county bids. We find also a few personal subscriptions, but as they were not accompanied by bond as directed by the board, nor submitted as a county proposition, your minority of committee have not placed them among the list of bids from Adair county.

The following is the first bid as shown by the records received from Livingston county, the only competing point with Adair county in the first district:

SEDALIA, Mo., December 27, 1870.

To the Honorable Board of Regents of the State Normal Schools of Missouri:

GENTLEMEN: The undersigned having been duly constituted and appointed by the county court of Livingston county, to make the offer of said county for the establishment of Normal Schools in the First Normal School District at the city of Chillicothe, hereby offer in behalf of said county of Livingston, sixty thousand dollars (\$60,000.)

We are, gentlemen, with great respect,

Your obedient servants,

(Signed)

J. B. BELL,
JOHN GRAVES,
ED. McKEE,

Agents for County of Livingston, State of Missouri.

In addition to the sixty thousand dollars offered by the county as above set forth, the undersigned offer for and in behalf of the citizens of Chillicothe, city lots to the value of forty-three hundred (4,300) dollars, and lands to the value of thirteen thousand eight hundred (13,800) dollars, the lots and lands having been duly subscribed for this purpose by the owners thereof. Also, one block and one-half of land in the centre of the city of Chillicothe, with Seminary building thereon, in value, ten thousand (10,000) dollars, and adapted for the Normal School until the permanent building can be erected and prepared for use, then can be sold, and the proceeds applied to furnishing said per-

manent building, or such other purpose, as the board may direct. Five blocks of land in the city of Chillicothe, distant two blocks from public square; offered by the school board through the county court of Livingston county, in value, five thousand (5,000) dollars.

The site of ten acres offered by J. H. Hammond, in value, seven thousand (7,000) dollars. This site being the ground seen by the east of the residence of the said J. H. Hammond.

(Signed)

J. H. HAMMOND,
JAMES S. DOUGHERTY,
J. B. BELL,
JOHN GRAVES,
A. J. STEWART,
J. F. JOHNSTON,
EDWIN McKEE,
R. F. DREMIN.

The following explanation of the bid submitted by Adair county we find submitted to the Board of Regents, signed by the duly authorized commissioner of Adair county:

In the bid submitted December 1, 1870, it was intended by the county of Adair to furnish, in a building to be erected hereafter under the direction of the board, fifty thousand dollars in cash, independent of the Normal School and block spoken of, and independent of the ten acre site to be selected by the board, and the county will secure the fee title to the regents for the whole without expense to the State. In the proposition made to donate to the school eight thousand dollars additional bonds of the county, it is understood and agreed that upon the demand of the board, said bonds shall be issued and delivered to the treasurer of the board for ———, negotiation for the purposes mentioned in said proposition to donate.

(Signed)

A. H. LINDER, *Comm'r*,
JACOB SANDS,
President Corporation.

The next record of the proceedings of the board in the matter of the location for the first district, was during the session held at Sedalia, at 7½ o'clock, p. m., on the 29th of December, 1870, where, upon the vote being taken upon the propositions submitted, Kirksville, Adair county, was unanimously selected as the location for the Normal School for the first district.

Your committee consider that the board had the legality of the bids to consider, and could not, unless derelict in duty, simply locate from the appearance in round numbers of the bid submitted.

Under the provisions of the law the first restriction which was definite and imperative, was that no location should be made for a less sum offered than twenty-five thousand dollars, and they were to award the location to the county offering the greatest inducement by way of building and grounds, so that if it exceeded that limit, said board was invested by the third section of the act with authority to pass upon the offers made and select from among them the ones most favorable for the purposes intended.

In the opinion of your minority the act evidently restricted the bid to be made or guaranteed directly by the county or city competing, and if individual subscriptions were to be made, it should have been to the county or city and from them to the State.

The subscription of Adair county, as entered upon record, was

made in full amount, by a duly authorized agent thereof, as a county subscription, as to the legality of which we would submit the following orders of election and other documents relating thereto.

First copy of order of the county court of said county for a special election to determine the sense of the voters of the county regarding the subscription.

Ordered by the court that a special election be held at the legal places of voting in each township in Adair county, Missouri, on Tuesday, the eighth day of September, 1870, to ascertain the sense of the people as to subscribing an amount sufficient to secure the location of the State Normal School at Kirksville, in Adair county, Missouri, for the first district of the State, not to exceed one hundred thousand dollars, to be located agreeable to an act of the General Assembly of the State of Missouri, approved March 19, A. D. 1870. The amount so subscribed, to be issued in county bonds, running not less than twenty years, and drawing interest not to exceed ten per cent. per annum, redeemable at any time after twenty years, at the pleasure of the county court, and to be of such denomination as such court may deem for the best interests of said county.

I hereby certify that the foregoing is a true and correct copy of an order of the county court of Adair county, entered of record at the May adjourned term, July 5, 1870.

Witness my hand and official seal this 22d day of December, 1870

Signed.

JOHN RICHEY,

Clerk.

Your committee believe it was judiciously left with the board of regents, by the act establishing the schools to investigate the bids in order to ascertain their true worth and the legality of the acts upon which such bids rested; as upon this depend their availability.

The bids from the two competing points, Kirksville, in Adair county, and Chillicothe, in Livingston county, may for convenience be summed up as they appear in round numbers from the bids presented, and then we propose to consider the amount of available bids when the legality of those bids are questioned.

First, Adair county :

Building, etc., value of.....	\$50,000
Ten acres of ground, valued.....	7,000
Building owned by North Missouri Normal School Co.....	10,000
Bonds of Adair county.....	8,000
	<hr/>
	\$75,000

Livingston county :

Bonds of Chillicothe township, 60,000 proposed to be guaranteed.....	\$42,000
City lots.....	4,300
Farming lands.....	13,800
Block by school board.....	5,000
Seminary building.....	10,000
Site for school.....	7,000
	<hr/>
	\$82,000

Next, as regards the legality and effectiveness of the subscription of the two counties.

The bid of Adair county was submitted from the county court of said county, and, as has been shown by copy of order of election heretofore submitted in this report, was submitted to and voted upon by the citizens of said county, in accordance with the provisions of the act.

Next, as regards the effectiveness and legality of the subscription of Livingston county.

First, in order for Livingston county to have submitted a legal subscription as a county, under the law regulating the same, she should have submitted the question to the qualified voters of the county at a special election called for that purpose.

Again, had the city of Chillicothe desired in her corporate capacity to submit such offer, we hold that under the provisions of section six of the act establishing these normal schools, it would have been perfectly legitimate for her to have done so after first testing the wish of the inhabitants thereof at a special election held for that purpose, and receiving in favor of such proposition the assent of two-thirds of the qualified voters of said city.

But, as will be seen from the following copy of the order of election, the question was not thus submitted to the citizens of either Livingston county or the city of Chillicothe, but to the voters of Chillicothe township, a subdivision not recognized in the act granting the power to subscribe, and therefore your minority deem that the subscription, having no foundation of law, would have been useless.

Order of election for Chillicothe township:

I, John Desha, clerk of the county court in and for the county of Livingston, State aforesaid, do hereby certify that the county court of said county of Livingston ordered at its November adjourned term, begun and held on the first Monday in December, 1870, on the fourth day of said term, it being the 8th day of December, A. D. 1870, that an election be held on the 24th day of December, A. D. 1870, to test the sense of the qualified voters of said township as to the propriety of said court subscribing sixty thousand dollars on behalf of said township for the location at Chillicothe, Missouri, of the normal school to be located in the first normal district of Missouri, and that at said special election more than two-thirds of the votes cast were in favor of subscribing the said sum of sixty thousand dollars for the location of said normal school at Chillicothe, Missouri.

In testimony whereof is hereunto set my hand and seal of said court at my office in Chillicothe, Missouri, this 24th day of December, 1870.

JOHN DESHA,
Clerk.

Copy of appointment of agents for Livingston county:

WHEREAS, By an order of the county court of Livingston county, Missouri, the qualified voters of Chillicothe township, in said county, did, on the 24th day of December, 1870, subscribe sixty thousand dollars for the location of the normal school of the first district of Missouri, in the city of Chillicothe. Now, therefore, we, O. Curtis, president of said court, and A. Rogers, associate justice thereof, on behalf of said court, do hereby constitute and appoint J. B. Bell, John Graves and E. McKee, agents of said county, to donate and sub-

scribe to the normal school of said first district of Missouri, said sum of sixty thousand dollars, and to contract with the regents of said normal school for the location of the same, and to do all and everything in the premises, and bind said county as fully to all intents and purposes as could said court.

Witness our hands this 44th day of December, 1870.

Signed,

CARLILE CURTIS,

President.

ANTHONY ROGERS,

Justice.

I, John Desha, clerk of the county court of said Livingston county, Missouri, do hereby certify that O. Curtis and A. Rogers, whose signatures are above, are president and associate justice of said court, and that the above are their respective signatures.

Witness my hand and the seal of said county this 24th day of December, 1870.

Signed,

JOHN DESHA,

Clerk.

From this is distinctly shown, not only that the subscription made was in Chillicothe township, but that also the appointment of the above named commission was made, not by the county court by proper action, while in session, but was their individual act, so shows on the face, and as such, whenever resisted by the tax-payers, would be adjudged of no binding force. Of course the county court, had they made the appointment of commissioners properly, could not have delegated powers to them they did not themselves possess, while we believe the appointment in the manner made was illegal, and the action of the commissioners would therefore have been void.

But it is claimed by the friends of Livingston that the following was a sufficient guarantee.

CHILICOTHE, Mo., December 20, 1870.

We, the undersigned citizens of Chillicothe, do hereby guarantee that the sixty thousand dollars voted by the township of Chillicothe shall bring forty-two thousand dollars in cash, to be applied to the erection of a normal school building under the direction and specifications of the board.

Signed,

J. H. HAMMOND,

And others.

This attempt made to guarantee that had no legal existence, but was void *ab initio*, by a guaranty which, from the provisions of the law, could not, in the form presented, be considered by the board of regents effectually determines the matter, we think as to the only disposition of the case that could have been possibly made by the regents.

The next matter we desire to call your attention to is the proposed subscription by the public school board of two blocks of land valued at two thousand dollars. We deem it sufficient to simply say we know no law authorizing the public school board to donate any of the property in their possession or to divest it from the use for which it was originally intended.

Your minority submitting this report deem it very unfortunate for the people of Livingston county if they desired the location of

said school at Chillicothe, that in making the effort to obtain the same by making various subscriptions thereto, they did not more carefully guard them so that the legality thereof could not be called in question. In the selection of the location it was of paramount importance that the board of regents should secure that, that was tangible and that might in the future not lead to litigation, that would tend to disturb either the prosperity of the institution or defeat the establishment thereof.

Taking from the proposed bid of Livingston as heretofore summed in round numbers, the township bid of sixty thousand dollars valued at forty-two thousand dollars, and the bid of school board valued at five thousand dollars, there would remain:

First. The lots offered in the city of Chillicothe by the citizens valued at forty-three hundred dollars.

Second. Lands from private subscription to the value of thirteen thousand eight hundred dollars.

Third. The seminary building valued at sum of ten thousand dollars.

Fourth. The ten acre site valued at seven thousand dollars.

Total sums per valuation put upon the same by the subscribers, thirty-five thousand one hundred dollars.

Were we to admit, that these bonds, lots, etc., were not overvalued, and that the tender of the same had been in a legitimate manner, and in this way directed by the board of regents, in order to secure their consideration, the value would then have been fifteen thousand nine hundred dollars less than the cash bid of Adair county, saying nothing of the bond bid and school building tendered by said county court of Adair county. Your committee submitting this report, would, however, point out and call your attention to the manner in which the bids were submitted by the supposed agents of Livingston county. They make two distinct propositions:

One of the sixty thousand dollars Chillicothe township subscription tendered by them as a county subscription by reference to the s submitted and copied in this report.

Second. As the proposition is worded in behalf of the citizens of Chillicothe, etc., the remaining amounts, etc.

The board of regents as your committee believe deservedly, ordered that all bids of private individuals should, to receive consideration, be accompanied by bond, etc.

Here then we see, first, the proposal of the county court to submit a proposition as a county; second, the proposition as is termed of citizens of Chillicothe of certain lots, land, etc., subscribed, and we are unable to discover how either by the law or the rules adopted for the regulation of the proceedings of the board, they could consider the bid submitted, even could we conceive the commissioners as legally appointed, which we think has been fully demonstrated to the contrary.

Had there been a bond accompanying the subscription, or had the city of Chillicothe or the county of Livingston, either guaranteed the subscription or in their corporate capacity submitted the bid, the question would have been very easy to determine, and would without doubt have received the attention of the board.

Your minority do therefore not only believe that the location of the said normal school in the first district at Kirksville was legally made, and that we have no power to impair a contract entered into by the agents of the State on the one part, and the authorized agent of Adair county on the other; but would further state that we do

not see what other disposition the board of regents could have made of the matters when we take in view the facts herein submitted.

Your minority would therefore recommend the adoption of the following resolution :

Resolved, That the selection by the Board of Regents of Kirksville, in Adair county, as the site of the Normal School of the first district of Missouri, was in the opinion of this General Assembly, just and proper ;

LOUIS BENECKE,
Min. Committee.

Which was read.

Mr. Richardson, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your committee to whom was referred
Senate bill No. 34,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do pass ;
Which was read.

Senate bill No. 34, entitled

An act for the relief of Sarah V. Childress,
Was taken up.

On motion, the rules were suspended, the bill read the third time and passed by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Buller, Burton, Butler, Cloud, Colcord, Collier, Davis, Doak, Dod, Dolle, Dolman, Edwards, Frost, George, Goodson, Haas, Hackman, Hardin, Hickman, Hubbell, Lamson, Latshaw, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Richardson, Samuel, Schooley, Shafer, Shewalter, Shields, Smith, Stancil, Steele, Stone, Squires, Turner, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—70.

Absent—Messrs. Abington, Alsup, Auer, Ballard, Bass, Beltrami, Borg, Bradshaw, Brown of Monroe, Buckham, Burrows, Bunch, Chilton, Claiborne, Clark, Coleman, Crockett, Dean, Dent, Edens, Eubanks, Fassen, Gates, Girdner, Gratiot, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Koch, Kost, Langston, Leach, Leeper, Logan, Marlin, Marshall, Martin of Caldwell, McAllister, Mitchell, Mullings, Moore of Stone, Neal, Norris, O'Bannon of Dallas, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Sanford, Scoville, Sharp, Sides, Sloan, Sorrell, Thomas, Van Roden, Von Kochtitzky, White of Texas and Wight of Vernon—67.

The title was read and agreed to.

Mr. Wilkes moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ;

Which was agreed to.

Mr. Buller withdrew his motion to reconsider the vote by which the resolution offered by Mr. Stone was passed.

Mr. Newman offered the following resolution:

Resolved, That the members of the Twenty-sixth General Assembly of the State of Missouri, prompted by feelings and motives which rise above the partisan at this hour, hereby tender to the Speaker of the House of Representatives our thanks for the manly courtesies and impartial discharge of his duties as our presiding officer. While it is but the natural result of feelings and passions of the moment which always govern a political body, composed of different political views, like the waters after being separated by an island meet again and mingle on in harmony to the ocean of oblivion.

Resolved, That we express our cordial wishes for his safe and pleasant return to the bosom of his family and friends, hoping that each member of this body may be permitted to greet him and give him the cordial hand of welcome again on our return next December.

Resolved, That we hereby tender to each of the officers of this House a full participation in the views as above expressed ;

Which was read and adopted.

Mr. Brown of Howard offered the following resolution:

Resolved, That a committee be appointed to inform the Governor that the House is now ready to adjourn until the first Wednesday in December next, and to ask the Governor if he has any message to communicate to the House ;

Which was read and adopted.

The Speaker appointed in pursuance of the resolution the following committee:

Messrs. Brown of Howard, McMillan and Doak.

Mr. Stancil offered the following resolution:

Resolved, That the thanks of the members and officers of the Twenty-sixth General Assembly are hereby tendered to his Excellency the Governor B. Gratz Brown, for the courtesy extended to them during the session. That we have the highest appreciation of the general and social disposition evinced by himself and family, and that we, irrespective of party, so far, heartily endorse his course socially and officially ;

Which was read and adopted.

The committee appointed to wait upon the Governor report that the Governor would respond to the message by his private secretary in a few minutes.

The committee were then discharged from further duty.

The following communication was received from the Governor, by his private Secretary :

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 20, 1871. }

To the Honorable Speaker of the House of Representatives:

I have the honor to reply to the message from the House, that I have no further communication to make.

Respectfully yours,

B. GRATZ BROWN.

Which was read.

Mr. Bittinger offered the following resolution :

Resolved, That the thanks of this House are hereby tendered to the Hon. John I. Martin, for the faithful and efficient manner in which he has performed the laborious and responsible duties of Chairman of the Committee on Enrolled Bills;

Which was read and adopted.

Mr. Shields offered the following resolution :

Resolved, That the use of this hall (without expense) be granted to the ladies of the Presbyterian church of this city, for a concert, on the fourth (4th) of April next ;

Which was read and adopted.

Mr. Martin of St. Louis, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that the following entitled bill has been presented to the Governor for his approval :

Senate bill No. 34, entitled

An act for the relief of Sarah V. Childress ;

Which was read.

Mr. Stone moved to adjourn until ten o'clock on the first Wednesday in December, 1871 ;

Which was agreed to by the following vote :

AYES—Messrs. Abbee, Adams of Butler, Adams of Gentry, Applegate, Asher, Auer, Barnes, Barrett, Bell, Bennett, Bittinger, Bohn, Bosbyshell, Breazeale, Brown of Howard, Bulkley, Burton, Butler, Cloud, Colcord, Collier, Davis, Doak, Dod, Dolle, Dolman, Edwards, Eubanks, Frost, George, Goodson, Haas, Hackman, Hardin, Hickman, Hubbell, Lamson, Latshaw, Martin of St. Louis, Maupin, Mabrey, McMillan, McPike, Miller, Ming, Moore of Livingston, Mortell, Murphy, Murray, Myers, Newman, O'Bannon of Pettis, Richardson, Samuel, Schooley, Shafer, Shewalter, Shields, Stancil, Steele, Stone, Squires, Turner, Walker, Wielandy, Wilkes, Williams of Audrain, Williams of Morgan, Worden and Mr. Speaker—70.

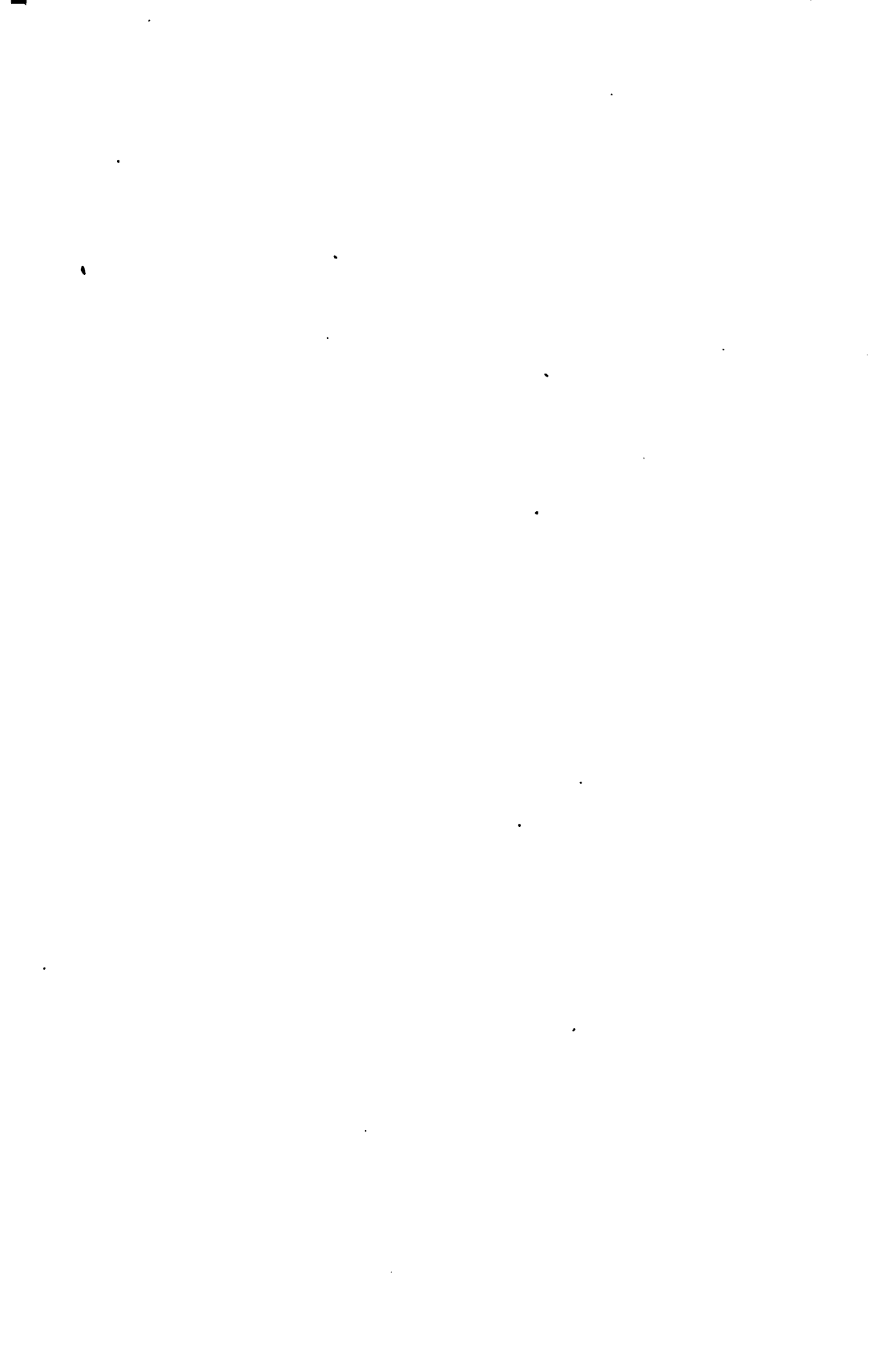
NOES—Mr. Buller—1.

Absent—Messrs. Abington, Alsup, Bass, Beltrami, Borg, Bradshaw, Brown of Monroe, Buckham, Chilton, Claiborne, Clark, Coleman, Crockett, Dean, Dent, Edens, Fassen, Gates, Girdner, Gray, Harmon, Hooper, Howell, Hutt, Kitchen, Knott, Kost, Koch, Langston, Leach, Logan, Marlin, Martin of Caldwell, McAllister, Mitchell, Moore of Stone, Mullings, Neal, O'Bannan of Dallas, Pauley, Pope, Price, Raney, Randall, Ray, Robinson, Rolston, Sanford, Scoville, Sharp, Sides, Sloan, Smith, Sorrell, Van Roden, Von Kochtitzky, White of Texas and Wight of Vernon—58.

Absent with leave—Messrs. Burrows, Ballard, Leeper, Marshall and Thomas—5.

Sick—Messrs. Bunch, Gratiot and Norris—3.

The Speaker declared the House adjourned until the first Wednesday in December next, at ten o'clock.



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